



CITY COUNCIL

AGENDA

November 19, 2001 – 7:30 P.M.
Council Chambers – City Hall
500 West Big Beaver, Troy, Michigan 48084
(248) 524-3300

CALL TO ORDER 1

Invocation & Pledge Of Allegiance – Pastor Jason Dunn – Troy Assembly of God 1

ROLL CALL 1

A-1 Minutes: Regular Meeting of November 5, 2001 1

A-2 a) Citizens Academy Graduation; b) Boys & Girls Club – Donation to the New York City Relief Fund; c) Service Commendation – Roy Fiore; d) Service Commendation – Eldon Thompson; e) Certificate of Recognition – Brian DeFrancesco; f) Troy Families for Safe Homes – Red Ribbon Campaign; g) Presentation: Diane Claeys – Troy Women’s Association; h) 2001 Clarion Award – Police Officer Nicolette Kaptur; i) 2001 APEX Awards for Public Excellence – Police Officer Nicolette Kaptur; j) Comprehensive Annual Financial Report for the Year Ended June 30, 2001 1

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NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

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CALL TO ORDER

Invocation & Pledge Of Allegiance – Pastor Jason Dunn – Troy Assembly of God

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Martin F. Howrylak
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

A-1 Minutes: Regular Meeting of November 5, 2001

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of November 5, 2001 be approved.

Yes:

No:

A-2 a) Citizens Academy Graduation; b) Boys & Girls Club – Donation to the New York City Relief Fund; c) Service Commendation – Roy Fiore; d) Service Commendation – Eldon Thompson; e) Certificate of Recognition – Brian DeFrancesco; f) Troy Families for Safe Homes – Red Ribbon Campaign; g) Presentation: Diane Claeys – Troy Women’s Association; h) 2001 Clarion Award – Police Officer Nicolette Kaptur; i) 2001 APEX Awards for Public Excellence – Police Officer Nicolette Kaptur; j) Comprehensive Annual Financial Report for the Year Ended June 30, 2001

PUBLIC HEARING

C-1 Rezoning – Proposed Fountain Park Condominiums, East Side of Rochester and North of Wattles, Section 14, R-1C to R-1T (Z-672)

City Management requests a 5-minute presentation regarding this item.

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the R-1C (One-Family Residential) to R-1T (Medium-Density Residential) rezoning request of 2.74 acres, comprised of 2, 3 and 4 of Supervisor's Plat #22, located on the east side of Rochester Road and north of Wattles Road, Section 14, is hereby approved as recommended by City Management and the Planning Commission.

Yes:

No:

C-2 Request for Commercial Vehicle Appeal – 1956 Castleton

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

a) RESOLUTION A FOR APPROVAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

1. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
2. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
3. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
4. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not

negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Thomas Scott, 1956 Castleton, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van in a residential district is hereby **APPROVED** for up to two years.

b) RESOLUTION B FOR DENIAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

1. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
2. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
3. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
4. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Thomas Scott, 1956 Castleton, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van in a residential district is hereby **DENIED**.

Yes:

No:

C-3 Request for Commercial Vehicle Appeal – 1421 HartwigSuggested Resolution

Resolution #2001-11-

Moved by

Seconded by

a) RESOLUTION A FOR APPROVAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

1. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
2. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
3. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
4. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Anthony Benedict, 1421 Hartwig, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy tow truck in a residential district is hereby **APPROVED** for up to two years.

b) RESOLUTION B FOR DENIAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

1. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).

2. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
3. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
4. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Anthony Benedict, 1421 Hartwig, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy tow truck in a residential district is hereby **DENIED**.

Yes:

No:

C-4 Request for Parking Variance – 1477 John R

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

a) RESOLUTION A FOR APPROVAL

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

1. That absent a variance, no reasonable use can be made of the property; or
2. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
3. That absent a variance, public health, safety and welfare would be negatively affected; or
4. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from David Donnellon for waiver of 48 parking spaces at the development at 1427 John R be **APPROVED**.

b) RESOLUTION B FOR DENIAL

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that there are practical difficulties justifying the variances; and

WHEREAS, City Council has not found that the requirements of Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance have been met;

NOW, THEREFORE, BE IT RESOLVED, That the request from David Donnellon for waiver of 48 parking spaces at the development at 1477 John R be **DENIED**.

Yes:

No:

C-5 Adoption of the Community Development Block Grant (CDBG) 2002Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

WHEREAS, The City of Troy will receive approximately \$213,290.00 for Community Development Block Grant funds for the year 2002; and

WHEREAS, The City Council of the City of Troy, after conclusion of a Public Hearing on this date, has determined that funding should be provided through the 2002 Community Development Block Grant (CDBG) Program for the Home Chore Program; Administration, Installation of Automatic Door Openers at the DPW Facility, and Section 36 Storm Drain Construction on Dashwood and Lovington Streets; and

NOW, THEREFORE, BE IT RESOLVED, That the Home Chore Program, Administration, Installation of Automatic Door Openers at the DPW Facility, and Section 36 Storm Drain Construction on Dashwood and Lovington Streets are hereby designated as Community Development Block Grant (CDBG) Projects for 2002; and

BE IT FINALLY RESOLVED, That a request to have 1998 unspent funds be reprogrammed from Remove Architectural Barriers, Minor Home Repair, and Special Assessment to Section 36 Flood Drain Improvements and that a one-year subrecipient agreement is hereby approved.

Yes:

No:

VISITOR COMMENTS

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members, said matter may be acted upon immediately. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. (Rules of Procedure for the City Council, Article 15, as amended May 7, 2001.)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have

it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended May 7, 2001.)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

E-2 2002 Annual Membership Dues to the National League of Cities (NLC)

Suggested Resolution

Resolution #2001-11-

RESOLVED, That the 2002 annual membership dues to the National League of Cities, in the amount of \$5,292.00, be approved for payment.

E-3 City of Troy Investment Policy and Establishment of Investment Accounts

Suggested Resolution

Resolution #2001-11-

RESOLVED, That the Investment Policy and Establishment of Investment Accounts outlined in the memorandum from Assistant City Manager/Finance and Administration, John M. Lamerato dated November 1, 2001, with annual review and approval, is hereby approved and copies shall be attached to the original Minutes of this meeting.

E-4 Safe Drinking Water Act Mandated FeeSuggested Resolution

Resolution #2001-11-

RESOLVED, That the request authorizing payment to the State of Michigan, Department of Environmental Quality, for an ongoing annual fee as mandated under the Safe Drinking Water Act based on the number of residents served is hereby approved.

E-5 Execution of Documents Pursuant to Agreement Between the City of Troy and Walsh College for PropertySuggested Resolution

Resolution #2001-11-

RESOLVED, That the execution of the signed agreement between Walsh College and the City of Troy proceed; that the necessary deeds, easements and documents be exchanged in accordance with the agreement; that the Mayor and City Clerk are authorized to execute any and all documents needed to complete the agreement on behalf of the City of Troy.

E-6 Standard Purchasing Resolution 1: Award to Low Bidder – Two V-Bottom Salt Spreaders with HydraulicsSuggested Resolution

Resolution #2001-11-

RESOLVED, That a contract to purchase two V-bottom Salt Spreaders with hydraulics is hereby awarded to the low bidder, Santoro, Inc., at unit prices contained in the bid tabulation opened October 25, 2001, at an estimated total cost of \$20,990.00, a copy of which shall be attached to the original Minutes of this meeting.

E-7 Request to Authorize Mayor and City Clerk to Sign Easement to Detroit Edison on City-Owned Parcel, Sidwell #88-20-22-358-016Suggested Resolution

Resolution #2001-11-

RESOLVED, That the permanent underground easement from the City of Troy to Detroit Edison Company, being part of property having Sidwell #88-20-22-358-016, is hereby approved, and the Mayor and City Clerk are authorized to execute the document, copies of which shall be attached to the original Minutes of this meeting.

E-8 Continuation of Construction Testing Services Provided by Testing Engineers and Consultants, Inc.Suggested Resolution

Resolution #2001-11-

WHEREAS, Quotations were received and a contract awarded to Testing Engineers and Consultants, Inc. on June 19, 2000 to provide consultant engineering testing services for 2000 and 2001; and

WHEREAS, Testing Engineers and Consultants, Inc. has agreed to extend the contract for a period not to exceed three (3) months with approval by City Council;

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy continue the contract with Testing Engineers and Consultants, Inc. for a period not to exceed three (3) months to allow sufficient time for bids to be taken.

E-9 Private Agreement for Troy Pines #2 Condominiums Project No. 01.920.3Suggested Resolution

Resolution #2001-11-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Premium Construction is hereby approved for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks, landscaping, soil erosion and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That this approval is contingent upon final review and approval of engineering plans by the City Engineer.

E-10 Request for Approval to Pay Residential Relocation Claim – John & Tracy Pavone (TCBP, LLC) – Section 36 Parkland – Project No. 95.201.5 – Sidwell #88-20-36-100-035Suggested Resolution

Resolution #2001-11-

RESOLVED, That as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits in the amount of \$1,589.75, to John and Tracy Pavone (TCBP, LLC), the former tenants displaced from the property at 2380 East Maple Road.

E-11 Opticom Agreement With Road CommissionSuggested Resolution

Resolution #2001-11-

RESOLVED, That the Agreement for Emergency Vehicle – Traffic Signal Preparation between the Road Commission for Oakland County and the City of Troy, is hereby approved, and the Mayor and City Clerk are authorized to execute the document, and a copy is to be attached to the original Minutes of this meeting.

E-12 Phoenix Management Services, Inc. v. City of TroySuggested Resolution

Resolution #2001-11-

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Phoenix Management Services, Inc. as Liquidating Agent for MedMax, Inc. and MedMax-Macomb, Inc. v. City of Troy, and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-13 WPW v. City of TroySuggested Resolution

Resolution #2001-11-

WHEREAS, The Michigan Supreme Court has granted leave to appeal in the WPW Acquisition Company v. City of Troy litigation; and

WHEREAS, There are several cases held in abeyance throughout the State of Michigan, due to the pendency of the WPW v. City of Troy case; and

WHEREAS, The WPW v. City of Troy case challenges the constitutionality of MCL 211.34(d), which was enacted by the Michigan Legislature in order to implement the provisions of Proposal A, which caps the taxable value of property; and

WHEREAS, MCL 211.34(d) allows local jurisdictions to exceed the Proposal A cap on taxable value of property when there are additions to a property; which includes increases in occupancy for an office building when decreases have previously been permitted to account for reduced occupancy; and

WHEREAS, The City of Troy believes that the issues involved in such litigation or controversy are such that the Michigan Municipal League Legal Defense Fund may wish to provide supportive aid in such litigation or controversy; and

WHEREAS, The City of Troy desires to receive the assistance of the Michigan Municipal League Legal Defense Fund;

NOW THEREFORE, BE IT RESOLVED, That the City of Troy hereby authorizes the City Attorney to apply for aid from the Michigan Municipal League Legal Defense Fund in the WPW v. City of Troy case, as defined above. It is understood that there may be conditions placed upon the aid offered by the Fund.

E-14 Request to Set a Public Hearing Regarding Acceptance of a Local Law Enforcement Block Grant

Suggested Resolution
Resolution #2001-11-

RESOLVED, That a Public Hearing regarding the Local Law Enforcement Block Grant designated to purchase Automatic External Defibrillators be held on December 17, 2001.

E-15 Troy v. Thomas (Civic Center Project)

Suggested Resolution
Resolution #2001-11-

WHEREAS, The City of Troy has filed a lawsuit to acquire the property of Harold R. Thomas, which is located at 11 Town Center Drive, Troy Michigan; and

WHEREAS, A proposed consent judgment has been negotiated between the parties; and

WHEREAS, City Council has determined that it is in the best interest of the City of Troy to settle this matter absent litigation;

NOW, THEREFORE, BE IT RESOLVED, That the proposed consent judgment in the Troy v. Thomas case, which is attached to the minutes of this meeting, shall be approved and executed by the attorney representing the City of Troy.

BE IT FURTHER RESOLVED, That the City Manager is further authorized to initiate payment of the agreed sums in final settlement of this matter.

E-16 Application to Drop and Add Co-Licensees by 7-Eleven (2891 Crooks)

(a) License Transfer

Suggested Resolution
Resolution #2001-11-

RESOLVED, That the request from 7-Eleven, Inc., to drop D & G Batchley, Inc., and add Nisar Siddiqui as Co-Licensee with 7-Eleven, Inc. in 2001 Specially Designated Merchant (SDM) licensed business, located at 2891 Crooks, Troy, MI 48084, Oakland County, be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance.

(b) Agreement

Suggested Resolution
Resolution #2001-11-

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with 7-Eleven Inc., which shall become effective upon approval of the dropping of D & G Batchley, Inc., and adding of Nisar Siddiqui as Co-Licensee with 7 -Eleven, Inc. in 2001 Specially Designated Merchant licensed business located at 2891 Crooks, Troy, MI 48084, Oakland County; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

E-17 Abandonment of a Permanent Public Utility Easement Located on Property at 209 Park Street

Suggested Resolution
Resolution #2001-11-

RESOLVED, That the Permanent Public Utility Easement recorded in Oakland County Register of Deeds Records, Liber 7665, pages 878 through 880 and Liber 7665, pages 884 through 886, being located on property commonly known as 209 Park Street, Troy, Michigan, and having a property identification number of 88-20-34-151-016, is hereby abandoned by resolution. This resolution shall be recorded with the Oakland County Register of Deeds as evidence thereof.

REGULAR BUSINESS

Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 6, as amended May 7, 2001. Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Downtown Development Authority; (c) Historic District Commission; (d) Historical Commission; (e) Liquor Committee; (f) Traffic Committee; and (g) Troy Daze Committee

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Persons with Disabilities

Council Appointment

_____ Term Expires 11-01-2003 (Alternate)

_____ Term Expires 11-01-2004

_____ Term Expires 11-01-2004

(b) Downtown Development Authority

Mayor, Council Approval

_____ Term Expires 09-30-2005

_____ Term Expires 09-30-2005

_____ Term Expires 09-30-2005

(c) Historic District Commission

Council Appointment

_____ Term Expires 03-01-2004

(d) Historical Commission

Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 07-31-2004

(e) Liquor Committee

Council Appointment

_____ Student Rep Term Expires 07-01-2002

(f) Traffic Committee

Council Appointment

_____ Student Rep Term Expires 07-01-2002

(g) Troy Daze Committee

Council Appointment

_____ Student Rep Term Expires 07-01-2002

Yes:

No:

F-2 Closed Session – No Session RequestedSuggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections _____, after adjournment of this meeting.

Yes:

No:

F-3 Addendum No. 2 for Preparation of Easement and Right-of-Way Documents, Long Lake Road Design Services Contract for Road Reconstruction, Carnaby Street to Dequindre Road, Projects: 92.203.5, 94.203.5Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

WHEREAS, The selection of Hubbell, Roth & Clark, Inc. was in accordance with the Michigan Department of Transportation Consultant Selection process for Preliminary Engineering for the Long Lake Road Project, Project No. 92.203.5/94.203.5; and

BE IT RESOLVED, That Addendum No. 2 to the Preliminary Engineering Agreement between Hubbell, Roth and Clark, Inc. and the City of Troy for preliminary road engineering for Long Lake Road, Project No. 92.203.5/94.203.5, be approved for the preparation of Long Lake Road easement and right-of-way documentation at an estimated cost to the City of Troy not to exceed \$37,253.73, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

Yes:

No:

F-4 Sole Source – Authorization to Purchase Hansen Information Technologies Infrastructure Management and Water Billing SystemSuggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the final contract negotiated by the City of Troy to purchase an enterprise-wide Infrastructure Management and Integrated Water Billing System from Hansen Information Technologies is hereby approved at an estimated cost of \$683,375.00, plus an estimated

\$70,110.00 per year for maintenance and support, in accordance with Appendix C, Detailed Pricing.

BE IT FURTHER RESOLVED, That contracts to purchase necessary hardware and software in the amount of \$12,000.00 and \$15,100.00 respectively from Compaq off the REMC contract and EDS on the State of Michigan Extended Purchasing Program are hereby approved.

Yes:

No:

F-5 Request for Bid Waiver and Authorization to Hire Real Estate Consultant for Appraisal and Acquisition Work – Proposed Widening of Long Lake Road, Carnaby Street to Dequindre Road

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the City Council approve a bid waiver and the hiring of an independent real estate consultant for the appraisal and acquisition work for the proposed widening of Long Lake Road from Carnaby Street to Dequindre Road, in an amount not to exceed \$92,180.00 as outlined in a memorandum from the Real Estate and Development Department dated October 30, 2001, a copy of which shall be attached and made a part of the original Minutes of this meeting.

Yes:

No:

F-6 2001-02 Budget Amendment No. 1

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That 2001-02 Budget Amendment No. 1 is hereby approved and a copy shall be attached to the original Minutes of this meeting.

Yes:

No:

F-7 Sturgis Drain Study for Determining New Base Flood Elevation and Chronology of Single Family Lot Development Request from Mr. Michael Kochanski, Parcel No. 201-15-376-025

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the City of Troy directs Hubbell, Roth and Clark, Inc. (HRC) to proceed with a study of the Sturgis Drain to determine a new base flood elevation in Section 15 in accordance with the City's general services agreement with HRC for an estimated cost to the City of Troy not to exceed \$49,756.00.

Yes:

No:

F-8 1) Draft Responses to Questions Raised at the October 9, 2001 Public Hearing on Proposed Natural Features, and Wetland Protection Ordinances; 2) Proposed Date for the Continuation of Public Hearing for Proposed Natural Features, and Wetland Protection Ordinances

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy call a Public Hearing for public input on the proposed Wetlands, and Natural Features Ordinances which includes the wetlands natural features map, to be scheduled for Tuesday, January 15, 2001, at the Troy Athens High School Auditorium, 4333 John R Road, Troy, Michigan, at 7:30 PM.

Yes:

No:

F-9 Proposed Ballot Language for Proposed Natural Features, and Wetland Protection Ordinances

Suggested Resolution

Resolution #2001-11-

Moved by

Seconded by

a) Resolution A

RESOLVED, That the proposed ballot question concerning an \$18,000,000.00 bond issuance for the purpose of acquiring, preserving, or improving natural features be submitted to the Troy Charter Revision Commission for their immediate review and recommendation.

or

b) Alternate Resolution B

RESOLVED, That the proposed ballot question concerning the imposition of a 0.5 mill increase for the purpose of acquiring, preserving or improving natural features be submitted to the Troy Charter Revision Commission for their immediate review and recommendation.

Yes:

No:

COUNCIL COMMENTS/REFERRALS

VISITORS

Any person not a member of the Council who have not addressed Council during the 1st Visitors Comments may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members, said matter may be acted upon immediately. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. (Rules of Procedure for the City Council, Article 5 (16) and Article 15, as amended May 7, 2001.)

REPORTS AND COMMUNICATIONS

G-1 Proposed City of Troy Proclamations:

Resolution #2001-11-

Moved by

Seconded by

RESOLVED, That the following City of Troy Proclamations, be approved:

- a) Service Commendation – Roy Fiore
- b) Service Commendation – Eldon Thompson

Yes:

No:

G-2 Minutes – Boards and Committees:

- a) CATV Advisory Committee/Final – July 26, 2001
 - b) Parks & Recreation Advisory Board/Final – September 13, 2001
 - c) Police and Fire Commission (ACT 78)/Final – September 20, 2001
 - d) Advisory Committee for Persons with Disabilities/Final – October 3, 2001
 - e) Building Code Board of Appeals/Final – October 3, 2001
 - f) Advisory Committee for Senior Citizens/Final – October 4, 2001
 - g) CATV Advisory Committee/Draft – October 17, 2001
 - h) Traffic Committee/Draft – October 17, 2001
 - i) Historical Commission/Draft – October 23, 2001
 - j) Planning Commission/Special/Draft – October 23, 2001
 - k) Police and Fire Commission (ACT 78)/Draft – November 6, 2001
 - l) Liquor Advisory Committee/Draft – November 12, 2001
 - m) Library Advisory Board/Final – October 11, 2001
 - n) Library Advisory Board/Draft – November 8, 2001
-

G-3 Department Reports:

- a) Permits Issued During the Month of October 2001
 - b) Monthly Financial Report – October 31, 2001
-

G-4 Announcement of Public Hearings:

- a) Request for Commercial Vehicle Appeal – 1800 E. Long Lake Rd. – Scheduled for December 3, 2001
-

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6 Letters of Appreciation:

- a) Letter from David G. Gorcyca, Prosecuting Attorney – County of Oakland, to Chief Charles Craft Commending Sergeant James Clark, Lieutenant Richard Hay, and Officers Larry Scher, Russ Harden, and Ronald Bodek and PSA Jason Straz For Their Assistance With a Case
 - b) Telephone Call Received from Virginia Scott – 5123 Falmouth, to Compliment Greg Russell For the Efficient Manner in Which He Conducted an Inspection at Her Home
 - c) E-Mail from Bob Schultz to John M. Lamerato Thanking Him and the Finance Staff For the Information Provided at the Citizen's Academy
 - d) Letter from Chief Richard G. Patterson – Birmingham Police Department to Chief Charles Craft Thanking the Surveillance Crew Headed by Detective Sergeant Henry Herpel When Assisting Their Department
-

G-7 Calendar

G-8 Troy Police Department Pistol Team Achievement

G-9 2001 Year-to-Date Crime and Police Calls for Service Report

G-10 Memorandum Re: Comparison of Costs to Mow Parks – City Personnel vs. Contracting

G-11 Memorandum Re: Proposal by Mr. James Savage for a Pedestrian Overpass on Rochester Road

G-12 William Goodman v. City of Troy

G-13 Sister City Program

G-14 Status Report – Refuse Hauling Contract

G-15 Comprehensive Annual Financial Report for the Year Ended June 30, 2001
Copy of report available for public viewing at the Troy City Clerk's office.

G-16 Proposed Conceptual Schemes for the North Side Access to Police Department

Respectfully submitted,

John Szerlag, City Manager

A Regular Meeting of the Troy City Council was held Monday, November 5, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:40 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Mayor Pro Tem Thomas S. Kaszubski and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
Martin F. Howrylak
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

A-1 Minutes: Regular Meeting of October 15, 2001 and Special Meeting of October 22, 2001

Resolution #2001-11-513
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of October 15, 2001 and the Minutes of the 7:30 PM Special Meeting of October 22, 2001 be approved.

Yes: All-7

A-2 Presentations: a) Bill Kennis – Troy Shareholders – Regarding: Civic Center Complex; b) Bharatiya Temple – Donation to the New York City Relief Fund; and c) Pamela Brady – Michigan Recycles Day

- a) Michelle Hodges – Troy Chamber of Commerce, advised that the Chamber of Commerce continues to support the development of the Civic Center site. Nancy Negohosian – Chair added that the Troy Shareholders also support the development of a Civic Center Complex. Bill Kennis – Troy Shareholders, provided a brief presentation regarding their findings about the development of a Civic Center Complex.

- b) Representatives from Bharatiya Temple presented the City of Troy with a check for \$18,000.00 to be donated to the American Red Cross for the New York City Relief Fund. On behalf of the City of Troy, Mayor Pryor presented a Certificate of Appreciation for the congregation of Bharatiya Temple for their generous donation
- c) On behalf of the City of Troy, Mayor Pryor presented Pamela Brady – League of Women Voters, with a Proclamation proclaiming November 15, 2001 as Michigan Recycles Day in Troy.

Suspend Council Rules

Resolution #2001-11-514

Moved by Pallotta

Seconded by Schilling

RESOLVED, That the City Council suspend the Rules of Procedure #5 and move Item F-3 forward.

Yes: All-7

F-3 Resolution Approving Sale of \$6,850,000 (Street, Roads and Streetscape Improvements); \$1,170,000 (Public Safety Facilities); \$9,470,000 (Community Center and Recreational Facilities) General Obligation Unlimited Tax Bonds, Series 2001

a) Resolution Approving Sale of \$6,850,000 (Streets, Roads & Streetscape Improvements)

Resolution #2001-11-515

Moved by Pallotta

Seconded by Kaszubski

WHEREAS, Pursuant to the affirmative vote of the electors of the City at a general election held on April 5, 1999 and by resolution adopted on September 17, 2001 (the "Resolution"), the City Council has authorized the issuance of not to exceed \$6,850,000 GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001 (STREETS, ROADS AND STREETSCAPE IMPROVEMENTS) of the City (the "Bonds"); and

WHEREAS, The Michigan Department of Treasury has issued an Order Providing Exception from prior approval for the Bonds dated October 3, 2001; and

WHEREAS, The Resolution set forth the form and terms of the Bonds, and provided that the City would do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of the Resolution; and

WHEREAS, The Resolution provided that the Bonds would be awarded to the bidder whose bid produced the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the Bonds from the dated date of the Bonds or the

first day of the month following the date of sale, whichever is later (which date is December 1, 2001) to their maturity, deducting therefrom any premium and adding thereto any discount; and

WHEREAS, The Resolution provided for authorization of a date for sale of the Bonds by the City and authorized publication of an Official Notice of Sale (the "Notice") for the public sale of the Bonds in The Bond Buyer, New York, New York in a form approved by the City Manager and/or Assistant City Manager/Finance, which Notice as published would be evidence of any revisions to final bond terms as permitted by the Resolution; and

WHEREAS, Pursuant to the Resolution and the requirements of Act 279, Public Acts of Michigan, 1909, as amended, and Act 202, Public Acts of Michigan 1943, as amended, the Notice was published in The Bond Buyer, New York, New York, on October 26, 2001, which Notice provided that Monday, the 5th day of November, 2001, at 2:00 p.m. Eastern Standard Time had been set aside as the date and time for receiving and publicly opening bids for the purchase of the Bonds; and

WHEREAS, As provided in the Notice, said bids have been received at the offices of Bendzinski & Co., Municipal Finance Advisors, 607 Shelby, Suite 600, Detroit, Michigan 48226-3333, or electronically via PARITY, and simultaneously publicly opened and read; and

WHEREAS, The proposed terms of all bids received for the purchase of the Bonds is set forth on the copies of the Bid Forms and the Results of Bidding summary attached hereto and incorporated herein by express reference; and

WHEREAS, The bid of ABN AMRO Financial Services, Inc. has been determined to produce the lowest interest cost to the City computed by determining, at the rate or rates specified in the bids, the total dollar value of all interest on the Bonds from December 1, 2001 to their maturity, deducting therefrom any premium or adding thereto any discount, and the City has determined that it is in the best interest of the City to award the Bonds to such bidder.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Official Notice of Sale for the public sale of the Bonds, as published in The Bond Buyer, New York, New York, and the final bond terms as stated therein are hereby approved, ratified and confirmed.
2. The bid of ABN AMRO Financial Services, Inc., ("Purchaser") as above stated, be and the same is hereby accepted.
3. Good Faith deposit checks of the unsuccessful bidders shall be returned to each bidder's representative or by overnight delivery.
4. The Preliminary Official Statement relating to the Bonds dated October 22, 2001 and its use in connection with the sale of the Bonds is hereby authorized, approved and confirmed. This City Council hereby confirms and ratifies the actions taken by the officers, agents and employees of the City in connection with the preparation of the Preliminary Official Statement and the designation thereof as a deemed final official statement for purposes of SEC Rule 15c2-12.

5. The Official Statement dated November 5, 2001 relating to the Bonds, which Official Statement has been presented to and is on file with the City Council, is authorized and approved. The Assistant City Manager/Finance is authorized and directed to execute and deliver the Official Statement on behalf of the City. The Assistant City Manager/Finance is further authorized to approve, execute and deliver any amendments and supplements to the Official Statement necessary to assure that the statements therein are, and as of the time the Bonds are delivered to the Purchaser will be, true and do not omit to state a material fact necessary in order to make the statements, in light of the circumstances under which they were made, not misleading.
6. The Mayor, the City Clerk, the City Manager and the Assistant City Manager/Finance are each authorized to sign such other documents and certificates and to take all other actions necessary and convenient to facilitate the issuance, sale and delivery of the Bonds in accordance with the Resolution and this resolution and to pay costs of issuance thereof, including bond counsel fees and expenses, financial advisor fees and expenses, rating agency fees, bond registrar and paying agent fees, costs of printing and delivery of the preliminary and final official statements, publication fees and any other costs necessary to accomplish the sale and delivery of the Bonds.
7. This resolution shall be effective immediately upon adoption.

Yes: All-7

b) Resolution Approving Sale of \$1,170,000 (Public Safety Facilities)

Resolution #2001-11-516

Moved by Pallotta

Seconded by Kaszubski

WHEREAS, Pursuant to the affirmative vote of the electors of the City at a general election held on April 5, 1999 and by resolution adopted on September 17, 2001 (the "Resolution"), the City Council has authorized the issuance of not to exceed \$1,170,000 GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001 (PUBLIC SAFETY FACILITIES) of the City (the "Bonds"); and

WHEREAS, The Michigan Department of Treasury has issued an Order Providing Exception from prior approval for the Bonds dated October 3, 2001; and

WHEREAS, The Resolution set forth the form and terms of the Bonds, and provided that the City would do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of the Resolution; and

WHEREAS, The Resolution provided that the Bonds would be awarded to the bidder whose bid produced the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the Bonds from the dated date of the Bonds or the first day of the month following the date of sale, whichever is later (which date is December 1, 2001) to their maturity, deducting therefrom any premium and adding thereto any discount; and

WHEREAS, The Resolution provided for authorization of a date for sale of the Bonds by the City and authorized publication of an Official Notice of Sale (the "Notice") for the public sale of the Bonds in The Bond Buyer, New York, New York in a form approved by the City Manager and/or Assistant City Manager/Finance, which Notice as published would be evidence of any revisions to final bond terms as permitted by the Resolution; and

WHEREAS, Pursuant to the Resolution and the requirements of Act 279, Public Acts of Michigan, 1909, as amended, and Act 202, Public Acts of Michigan 1943, as amended, the Notice was published in The Bond Buyer, New York, New York, on October 26, 2001, which Notice provided that Monday, the 5th day of November, 2001, at 2:00 p.m. Eastern Standard Time had been set aside as the date and time for receiving and publicly opening bids for the purchase of the Bonds; and

WHEREAS, As provided in the Notice, said bids have been received at the offices of Bendzinski & Co., Municipal Finance Advisors, 607 Shelby, Suite 600, Detroit, Michigan 48226-3333, or electronically via PARITY, and simultaneously publicly opened and read; and

WHEREAS, The proposed terms of all bids received for the purchase of the Bonds is set forth on the copies of the Bid Forms and the Results of Bidding summary attached hereto and incorporated herein by express reference; and

WHEREAS, The bid of First Union National Bank has been determined to produce the lowest interest cost to the City computed by determining, at the rate or rates specified in the bids, the total dollar value of all interest on the Bonds from December 1, 2001 to their maturity, deducting therefrom any premium or adding thereto any discount, and the City has determined that it is in the best interest of the City to award the Bonds to such bidder.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Official Notice of Sale for the public sale of the Bonds, as published in The Bond Buyer, New York, New York, and the final bond terms as stated therein are hereby approved, ratified and confirmed.
2. The bid of First Union National Bank, ("Purchaser") as above stated, be and the same is hereby accepted.
3. Good Faith deposit checks of the unsuccessful bidders shall be returned to each bidder's representative or by overnight delivery.
4. The Preliminary Official Statement relating to the Bonds dated October 22, 2001 and its use in connection with the sale of the Bonds is hereby authorized, approved and confirmed. This City Council hereby confirms and ratifies the actions taken by the officers, agents and employees of the City in connection with the preparation of the Preliminary Official Statement and the designation thereof as a deemed final official statement for purposes of SEC Rule 15c2-12.
5. The Official Statement dated November 5, 2001 relating to the Bonds, which Official Statement has been presented to and is on file with the City Council, is authorized and approved. The Assistant City Manager/Finance is authorized and directed to execute

and deliver the Official Statement on behalf of the City. The Assistant City Manager/Finance is further authorized to approve, execute and deliver any amendments and supplements to the Official Statement necessary to assure that the statements therein are, and as of the time the Bonds are delivered to the Purchaser will be, true and do not omit to state a material fact necessary in order to make the statements, in light of the circumstances under which they were made, not misleading.

6. The Mayor, the City Clerk, the City Manager and the Assistant City Manager/Finance are each authorized to sign such other documents and certificates and to take all other actions necessary and convenient to facilitate the issuance, sale and delivery of the Bonds in accordance with the Resolution and this resolution and to pay costs of issuance thereof, including bond counsel fees and expenses, financial advisor fees and expenses, rating agency fees, bond registrar and paying agent fees, costs of printing and delivery of the preliminary and final official statements, publication fees and any other costs necessary to accomplish the sale and delivery of the Bonds.
7. This resolution shall be effective immediately upon adoption.

Yes: All-7

c) Resolution Approving Sale of \$9,470,000 (Community Center and Recreational Facilities)

Resolution #2001-11-517

Moved by Pallotta

Seconded by Kaszubski

WHEREAS, Pursuant to the affirmative vote of the electors of the City at a general election held on April 5, 1999 and by resolution adopted on September 17, 2001 (the "Resolution"), the City Council has authorized the issuance of not to exceed \$9,470,000 GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001 (COMMUNITY CENTER AND RECREATIONAL FACILITIES) of the City (the "Bonds"); and

WHEREAS, The Michigan Department of Treasury has issued an Order Providing Exception from prior approval for the Bonds dated October 3, 2001; and

WHEREAS, The Resolution set forth the form and terms of the Bonds, and provided that the City would do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of the Resolution; and

WHEREAS, The Resolution provided that the Bonds would be awarded to the bidder whose bid produced the lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the Bonds from the dated date of the Bonds or the first day of the month following the date of sale, whichever is later (which date is December 1, 2001) to their maturity, deducting therefrom any premium and adding thereto any discount; and

WHEREAS, The Resolution provided for authorization of a date for sale of the Bonds by the City and authorized publication of an Official Notice of Sale (the "Notice") for the public sale of

the Bonds in The Bond Buyer, New York, New York in a form approved by the City Manager and/or Assistant City Manager/Finance, which Notice as published would be evidence of any revisions to final bond terms as permitted by the Resolution; and

WHEREAS, Pursuant to the Resolution and the requirements of Act 279, Public Acts of Michigan, 1909, as amended, and Act 202, Public Acts of Michigan 1943, as amended, the Notice was published in The Bond Buyer, New York, New York, on October 26, 2001, which Notice provided that Monday, the 5th day of November, 2001, at 2:00 p.m. Eastern Standard Time had been set aside as the date and time for receiving and publicly opening bids for the purchase of the Bonds; and

WHEREAS, As provided in the Notice, said bids have been received at the offices of Bendzinski & Co., Municipal Finance Advisors, 607 Shelby, Suite 600, Detroit, Michigan 48226-3333, or electronically via PARITY, and simultaneously publicly opened and read; and

WHEREAS, The proposed terms of all bids received for the purchase of the Bonds is set forth on the copies of the Bid Forms and the Results of Bidding summary attached hereto and incorporated herein by express reference; and

WHEREAS, The bid of ABN AMRO Financial Services, Inc. has been determined to produce the lowest interest cost to the City computed by determining, at the rate or rates specified in the bids, the total dollar value of all interest on the Bonds from December 1, 2001 to their maturity, deducting therefrom any premium or adding thereto any discount, and the City has determined that it is in the best interest of the City to award the Bonds to such bidder.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Official Notice of Sale for the public sale of the Bonds, as published in The Bond Buyer, New York, New York, and the final bond terms as stated therein are hereby approved, ratified and confirmed.
2. The bid of ABN AMRO Financial Services, Inc., ("Purchaser") as above stated, be and the same is hereby accepted.
3. Good Faith deposit checks of the unsuccessful bidders shall be returned to each bidder's representative or by overnight delivery.
4. The Preliminary Official Statement relating to the Bonds dated October 22, 2001 and its use in connection with the sale of the Bonds is hereby authorized, approved and confirmed. This City Council hereby confirms and ratifies the actions taken by the officers, agents and employees of the City in connection with the preparation of the Preliminary Official Statement and the designation thereof as a deemed final official statement for purposes of SEC Rule 15c2-12.
5. The Official Statement dated November 5, 2001 relating to the Bonds, which Official Statement has been presented to and is on file with the City Council, is authorized and approved. The Assistant City Manager/Finance is authorized and directed to execute and deliver the Official Statement on behalf of the City. The Assistant City Manager/Finance is further authorized to approve, execute and deliver any

amendments and supplements to the Official Statement necessary to assure that the statements therein are, and as of the time the Bonds are delivered to the Purchaser will be, true and do not omit to state a material fact necessary in order to make the statements, in light of the circumstances under which they were made, not misleading.

6. The Mayor, the City Clerk, the City Manager and the Assistant City Manager/Finance are each authorized to sign such other documents and certificates and to take all other actions necessary and convenient to facilitate the issuance, sale and delivery of the Bonds in accordance with the Resolution and this resolution and to pay costs of issuance thereof, including bond counsel fees and expenses, financial advisor fees and expenses, rating agency fees, bond registrar and paying agent fees, costs of printing and delivery of the preliminary and final official statements, publication fees and any other costs necessary to accomplish the sale and delivery of the Bonds.
7. This resolution shall be effective immediately upon adoption.

Yes: All-7

PUBLIC HEARING

C-1 Rezoning – Proposed Fountain Park Condominiums, East Side of Rochester and North of Wattles, Section 14, R-1C to R-1T (Z-672)

Resolution #2001-11-518

Moved by Pallotta

Seconded by Howrylak

RESOLVED, That the R-1C (One-Family Residential) to R-1T (Medium-Density Residential) rezoning request of 2.74 acres, comprised of 2, 3 and 4 of Supervisor's Plat #22, located on the east side of Rochester Road and north of Wattles Road, Section 14, is hereby approved, as recommended by City Management and the Planning Commission.

Yes: All-7

RECESS: 8:48 PM – 9:07 PM

VISITOR COMMENTS

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2001-11-519

Moved by Pallotta

Seconded by Schilling

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Items E-4 and E-7 which shall be considered after Consent Agenda E items, as printed.

Yes: All-7

E-2 Standard Purchasing Resolution 1: Award to Low Bidders – Water System Materials

Resolution #2001-11-519-E-2

RESOLVED, That a contract to provide one-year requirements of Water System Materials is hereby awarded to the low bidders, Etna Supply Company, Michigan Pipe & Valve, Gunners Meters & Parts, SLC Meter Service, US Filter Inc., and Marsh Products (Premarc), at unit prices contained in the bid tabulation opened September 25, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated annual total cost of \$43,439.20.

E-3 Request for Temporary Sales/Office Trailer, Sandalwood South Condominiums

Resolution #2001-11-519-E-3

RESOLVED, That the request from Steve Schlaf of Sandalwood South of Troy, LLC, to place and occupy a sales trailer during construction of Sandalwood South Condominiums, is hereby approved for a twelve-month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(3), of the Code of the City of Troy

E-5 Approval of Cost Participation Agreement for the Reconstruction of Livernois Road, Wattles to Braemer – Contract 01-5; Project No. 95.201.5

Resolution #2001-11-519-E-5

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Road Commission for Oakland County for the reconstruction of Livernois Road, Wattles to Braemer, Project No. 95.201.5, is hereby approved and the Mayor and City Clerk are authorized to execute the Agreement.

E-6 Standard Purchasing Resolution 2: Lowest Acceptable Bidder Meeting Specifications – Electric Golf Cars for Sylvan Glen Golf Course

Resolution #2001-11-519-E-6

RESOLVED, That a contract to furnish a five-year lease of sixty-five (65) Electric Golf Cars including maintenance less fifty (50) trade-ins is hereby awarded to the lowest acceptable bidder meeting specifications, Club Car, Inc., at an estimated total lease cost of \$154,544.00.

E-8 Standard Purchasing Resolution 2: Lowest Acceptable Bidders – Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts with an Option to Renew for an Additional Three Years

Resolution #2001-11-519-E-8

RESOLVED, That contracts to provide three-year requirements of Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts with an Option to Renew for three years are awarded to the lowest acceptable bidders meeting specifications, Bell Equipment Company, Coach & Motor Company, D&D Auto Parts, Kirks Automotive, Lacal Equipment Company, Inc., Munn Ford Tractor, Old Dominion Brush, Terminal Supply Company, Crown Battery Manufacturing Company, Inc., All Type Truck & Trailer Repair, Inc., and Lubrication Specialists at discount prices contained in the bid tabulation opened April 24, 2001, a copy of which shall be attached to the original Minutes of this meeting.

E-9 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Haworth Furniture Contract

Resolution #2001-11-519-E-9

RESOLVED, That a contract to purchase new furniture for the DPW Facility Addition from University Business Interiors is hereby approved through the Oakland County Cooperative Purchasing Agreement at an estimated cost of \$14,042.00, in accordance with Appendix B, Detailed Cost Estimates.

E-10 Private Agreement for Vanderpool Paving – Project No. 01.110.3

Resolution #2001-11-519-E-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and GFA Development is hereby approved for the installation of bituminous paving in the Vanderpool right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

E-11 Payment Authorization for Irrigation Repair

Resolution #2001-11-519-E-11

RESOLVED, That payment of invoices totaling \$10,325.85 to Rayner Lawn Sprinkler, L.L.C. for emergency repair to irrigation systems damaged by underground boring contractors, and additional irrigation repair be approved.

E-12 Big Beaver, Kensington to Cunningham – Cost Participation Agreement with RCOC – Contract No. 01.8, Project No. 93.207.6

Resolution #2001-11-519-E-12

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Road Commission for Oakland County for the Big Beaver, Kensington to Cunningham project, Project No. 93.207.6, is hereby approved and the Mayor and City Clerk are authorized to execute the Agreement.

ITEMS TAKEN OUT OF ORDER

E-4 Standard Purchasing Resolution 4: Tri-County Purchasing Cooperative – Mobile Phone Products and Services

Resolution #2001-11-520

Moved by Pallotta

Seconded by Lambert

RESOLVED, That the three-year cooperative contract for Mobile Phone Products and Services from Cingular Wireless is hereby approved through the City of Farmington Hills bid process and extended to the Tri-County Purchasing Cooperative at unit prices contained in the bid tabulation opened August 17, 2001 and Attachment A – Pricing Options for other rate plans, a copy of which shall be attached to the original Minutes of this meeting expiring in 2004, three years from the delivery of the phones.

Yes: All-7

E-7 Standard Purchasing Resolution 1: Award to Low Bidder – Snow Removal Services/Home Chore Program

Resolution #2001-11-521

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, That a contract for seasonal requirements of snow removal services for the Home Chore Program with an option to renew for one (1) additional winter season is hereby awarded to the sole bidder, Dream Green, at unit prices contained in the bid tabulation opened October

23, 2001, a copy of which shall be attached to the original Minutes of this meeting, at an estimated total cost per season of \$10,600.00.

Yes: All-7

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Downtown Development Authority; (c) Historic District Commission; (d) Historical Commission; (e) Liquor Committee; (f) Traffic Committee; and (g) Troy Daze Committee

Resolution #2001-11-522

Moved by Pallotta

Seconded by Howrylak

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Persons with Disabilities

Council Appointment

Dick Kuschinsky Term Expires 11-01-2004

(b) Downtown Development Authority

Mayor, Council Approval

Alan M. Kiriluk Term Expires 09-30-2004 (See attached memo)

G. Thomas York Term Expires 09-30-2004 (See attached memo)

Michael W. Culpepper Term Expires 09-30-2004 (See attached memo)

(e) Troy Daze Committee

Council Appointment

Sue Bishop Term Expires 11-30-2004

Jim D. Cyrulewski Term Expires 11-30-2004

Cecile Dilley Term Expires 11-30-2004

Yes: All-7

**Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting
Agenda Scheduled for November 19, 2001:**

(a) Advisory Committee for Persons with Disabilities Council Appointment

_____ Term Expires 11-01-2003 (Alternate)

_____ Term Expires 11-01-2004

_____ Term Expires 11-01-2004

(b) Downtown Development Authority Mayor, Council Approval

_____ Term Expires 09-30-2005

_____ Term Expires 09-30-2005

_____ Term Expires 09-30-2005

(c) Historic District Commission Council Appointment

_____ Term Expires 03-01-2004

(d) Historical Commission Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 07-31-2004

(e) Liquor Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(d) Traffic Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(e) Troy Daze Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

F-2 Closed Session

Resolution #2001-11-523

Moved by Pallotta

Seconded by Schilling

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Section (e), (Troy v Gerald Peacock), after adjournment of this meeting.

Yes: Beltramini, Kaszubski, Lambert, Pallotta, Schilling, Pryor

No: Howrylak

MOTION CARRIED

F-4 Community Center Fees

Resolution #2001-11-

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That the fees and policies proposal be adjusted to allow residents age 21 or younger use of the gym at no cost for three nights a week (up to 12 hours) during the school year and weekends (up to 20 hours) when school is not in session; and

BE IT FURTHER RESOLVED, That the Community Center fees/policies be adopted with adjustments to the Financial Aid Policy to reflect discounts of 10%, 25% and 50% to those low, very low and extremely low income level categories respectively.

Vote on Amendment

Resolution #2001-11-524

Moved by Pryor

Seconded by Lambert

RESOLVED, To amend Resolution by inserting, "Single parents and disabled persons would receive an additional 15% discount added to the discount for which they already qualify."

Yes: Lambert, Pryor, Beltramini

No: Howrylak, Kaszubski, Pallotta, Schilling

MOTION FAILED

Vote on Main Resolutions

Resolution #2001-11-525
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That the fees and policies proposal be adjusted to allow residents age 21 or younger use of the gym at no cost for three nights a week (up to 12 hours) during the school year and weekends (up to 20 hours) when school is not in session; and

BE IT FURTHER RESOLVED, That the Community Center fees/policies be adopted with adjustments to the Financial Aid Policy to reflect discounts of 10%, 25% and 50% to those low, very low and extremely low income level categories respectively.

Yes: Schilling, Pryor, Beltramini, Howrylak,
No: Kaszubski, Lambert, Pallotta

MOTION CARRIED

Resolution #2001-11-526
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That membership fees for families of four or more be capped at \$450.00 annually.

Yes: Lambert, Pallotta, Schilling, Pryor, Beltramini, Kaszubski
No: Howrylak

MOTION CARRIED

Suspend Council Rules

Resolution #2001-11-527
Moved by Howrylak
Seconded by Pallotta

RESOLVED, That the City Council suspend the Rules of Procedure #5 and move Item F-8 forward.

Yes: All-7

F-8 Traffic Committee Recommendations**b) No Changes to Parking Regulations on Lanergan**

Resolution #2001-11-528

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That no changes be made to the parking regulations on Lanergan, west of Adams. (Item 5)

Yes: All-7

c) Establishment of Fire Lanes at the Troy Community Center

Resolution #2001-11-529

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That Traffic Control Order No. 01-4-MR be approved for establishment of fire lanes at the Troy Community Center, 3179 Livernois, as shown on the attached sketch. (Item 6)

Yes: All-7

d) Establishment of Fire Lanes at the Fairways Condominiums

Resolution #2001-11-530

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That Traffic Control Order No. 01-5-MR be approved for establishment of fire lanes at the Fairways Condominiums as shown on the attached sketch. (Item 7)

Yes: All-7

e) No Changes to be Made to Traffic Control Devices at the Intersection of Charnwood and Malvern; Recommend Trimming of Shrubby

Resolution #2001-11-531

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That no changes be made to the traffic control devices at the intersection of Charnwood and Malvern; and that shrubby at the intersection be trimmed to remove sign obstructions. (Item 8)

Yes: All-7

f) Establishment of Fire Lanes at EDS – 1350 John R

Resolution #2001-11-532
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That Traffic Control Order No. 01-6-MR be approved for establishment of fire lanes at EDS, 1350 John R as shown on the attached sketch. (Item 9)

Yes: All-7

g) No Changes be Made to the Existing Traffic Control Devices at Norwich & Witherbee

Resolution #2001-11-533
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That no changes be made to the existing traffic control devices at Norwich and Witherbee. (Item 10)

Yes: All-7

ITEMS TAKEN OUT OF ORDER

F-8 Traffic Committee Recommendations

a) Remove YIELD Signs on Alton

Resolution #2001-11-534
Moved by Pallotta
Seconded by Howrylak

RESOLVED, That the portion of Traffic Control Order No. 69-6-SS as it relates to the intersection of Alton and Calvert be rescinded in order to remove the YIELD signs on Alton, and that Traffic Control Order No. 01-3-SS is hereby approved for installation of 4-way STOP signs at the intersection of Alton and Calvert. (Item 4)

Yes: All-7

Suspend City Council Rules and Continue with Agenda

Resolution #2001-11-535

Moved by Schilling

Seconded by Pallotta

RESOLVED, That the City Council suspend the Rules of Procedure #19 and continue discussion on Agenda items to 11:45 p.m.

Yes: All-7

h) No Changes be Made to the Speed Limit on Northfield Parkway

Resolution #2001-11-

Moved by Pallotta

Seconded by Schilling

RESOLVED, That no changes be made to the speed limit on Northfield Parkway. (Item 11)

Vote on First Amendment

Resolution #2001-11-536

Moved by Howrylak

Seconded by Pallotta

RESOLVED, That the Resolution be amended by inserting, “ an additional SPEED LIMIT sign will be installed on that section of the road and its placement will be determined by City Management.”

Yes: All-7

Vote on Second Amendment

Resolution #2001-11-537

Moved by Howrylak

Seconded by Pryor

RESOLVED, That the Resolution be amended by inserting, “ an additional sign indicating SPEED LIMIT WILL BE STRICTLY ENFORCED will be installed.”

Yes: Pryor, Howrylak

No: Kaszubski, Lambert, Pallotta, Schilling, Beltramini

MOTION FAILED

Vote on Amended Resolution

Resolution #2001-11-538

Moved by Pallotta

Seconded by Schilling

RESOLVED, That no changes be made to the speed limit on Northfield Parkway and an additional SPEED LIMIT sign will be installed on that section of the road and its placement will be determined by City Management.

Yes: All-7

F-5 Appointment of Chairpersons for the Annual 2001 Boards & Committees and Fire Fighters Appreciation Banquets

Resolution #2001-11-539

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That Council Member Louise Schilling will act as Chairperson and official host and master of ceremonies that evening and work with the Community Affairs Department to ensure a first class event for the Annual 2001 Boards & Committees Appreciation Banquet (February 9, 2002); and

RESOLVED, That Council Member Thomas Kaszubski will act as Chairperson and official host and master of ceremonies that evening and work with the Community Affairs Department to ensure a first class event for the Annual Fire Fighters Appreciation Banquet (May 18, 2002).

Yes: Pallotta, Schilling, Beltramini, Howrylak, Kaszubski, Lambert

No: Pryor

F-6 Bid Waiver – Renewal of Fiduciary Liability Insurance Coverage

Resolution #2001-11-540

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, That the renewal of the Fiduciary Liability Insurance coverage from the Chubb Insurance Group (The Federal Insurance Company) through the C.M. Althoff Company is hereby approved, with the premium for policy year November 8, 2001 – November 8, 2002 at the cost of \$11,760.00.

BE IT FURTHER RESOLVED, That this coverage be automatically renewed annually if the cost is equal to or less than \$11,760.00

Yes: All-7

F-7 Amendment to Council Rules of Procedure

Resolution #2001-11-

Moved by Beltramini

Seconded by Pallotta

RESOLVED, That the Troy City Council Rules of Procedure, dated September 10, 2001, are hereby amended as proposed; under Item Number 23; strike "No member of Council shall speak a second time, nor for more than five minutes, on an item under discussion, until all other members wishing to speak on that item have been heard." and insert "No member of Council shall speak more than twice, nor for longer than five minutes, on an item under discussion with a permitting vote by Council."

Vote on Amendment

Resolution #2001-11-541

Moved by Howrylak

Seconded by Pryor

RESOLVED, That proposed amendment to Council Rules of Procedure, dated September 10, 2001; under Item Number 23 be amended by striking proposed amendment and substitute it with, " No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No Member of Council shall be allowed to speak for more than five (5)-minutes at a time.

Yes: Pryor, Beltramini, Howrylak, Kaszubski, Lambert

No: Pallotta, Schilling

MOTION CARRIED**Vote on Amended Resolution**

Resolution #2001-11-542

Moved by Beltramini

Seconded by Pallotta

RESOLVED, That the Troy City Council Rules of Procedure, dated September 10, 2001, are hereby amended; under Item Number 23; strike "No member of Council shall speak a second time, nor for more than five minutes, on an item under discussion, until all other members wishing to speak on that item have been heard." and insert, "No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No Member of Council shall be allowed to speak for more than five (5)-minutes at a time."

Yes: Beltramini, Howrylak, Kaszubski, Lambert, Pryor

No: Pallotta, Schilling

MOTION CARRIED

Suspend City Council Rules and Continue with Agenda

Resolution #2001-11-543
Moved by Lambert
Seconded by Pallotta

RESOLVED, That the City Council suspend the Rules of Procedure #19 and continue discussion on Agenda items to 12:15 a.m.

Yes: All-7

F-9 Revisions to Chapter 16 Regarding Composting

Resolution #2001-11-
Moved by Pallotta
Seconded by Schilling

RESOLVED, That an Ordinance to modify Chapter 16, Garbage and Rubbish regarding Composting, is hereby adopted in order to update the ordinance to the current level of service being provided to the residents of the City of Troy and a copy of this ordinance shall be attached to the original Minutes of this meeting.

Vote on Amendment

Resolution #2001-11-544
Moved by Howrylak
Seconded by Pryor

RESOLVED, That Item 5 in the revisions to Chapter 16 regarding Composting be stricken.

Yes: Pryor, Howrylak
No: Kaszubski, Lambert, Pallotta, Schilling, Beltramini

MOTION FAILED

Vote on Main Resolution

Resolution #2001-11-545
Moved by Pallotta
Seconded by Schilling

RESOLVED, That an Ordinance to modify Chapter 16, Garbage and Rubbish regarding Composting, is hereby adopted in order to update the ordinance to the current level of service being provided to the residents of the City of Troy and a copy of this ordinance shall be attached to the original Minutes of this meeting.

Yes: All-7

F-10 Resolution in Support of the Detroit Water Sewerage Department (DWSD)

Resolution #2001-11-546

Moved by Pallotta

Seconded by Schilling

WHEREAS, The City of Troy supports the Detroit Water and Sewerage Department in not objecting to the movement of DWSD facilities; and

WHEREAS, DWSD recognizes that there will be times when facilities will have to be moved to accommodate MDOT construction projects, DWSD feels that they should not have to bear the costs for this relocation; and

WHEREAS, DWSD recognizes the fact that MDOT has supervisory authority over all utility lines within the right-of-way of state highways; and

WHEREAS, MDOT believes that it has the right to require the relocation of utility lines within the right-of-way without having to pay compensation to the community that owns those utilities; and

WHEREAS, The City Council for the City of Troy recognizes and supports the DWSD because what MDOT proposes to do represents a taking of private property; and

WHEREAS, Should the City of Detroit be forced into such a position by the State of Michigan, then DWSD, which is a non-profit agency, will be forced to pass that cost along to the communities it serves; and

WHEREAS, Any such cost that would be passed along to the customers of the City of Detroit would be outside the scope of a normal rate increase for the use of water and sewerage treatment; and

WHEREAS, Corrective measures need to be taken to ensure that the State of Michigan is aware of the potential hardship it will be passing on to other communities through its potential taking of the private property of the City of Detroit; and

NOW, THEREFORE, BE IT RESOLVED, The City of Troy City Council supports the Detroit Water and Sewerage Department's effort to change the Michigan Department of Transportation's position on having to pay for the relocating of facilities in its right-of-way.

Yes: All-7

F-11 Change Order No. 2 – Contract No. 99-5, Project No. 98.407.2 – Crooks Road Sanitary Sewer

Resolution #2001-11-547

Moved by Schilling

Seconded by Lambert

RESOLVED, That the City Manager is hereby authorized to execute Change Order No. 2 to Contract No. 99-5 in the amount of \$5,095.00 for Project No. 98.407.2, "Crooks Road Sanitary Sewer." Change Order No. 2 ratifies the completed work and permits final payment to be made to the contractor. The final cost of the project, including Change Order No. 2, does not exceed the total of the original contract amount and Change Order No. 1, which were previously approved by City Council.

Yes: All-7

F-12 Revision to Chapter 78 Allowing Subdivision Signs in Right-of-Way

Resolution #2001-11-548

Moved by Schilling

Seconded by Kaszubski

RESOLVED, That an Ordinance to modify Chapter 78, allowing Subdivision Signs in Right-of-Way, is hereby adopted and a copy of this ordinance shall be attached to the original Minutes of this meeting.

Yes: All-7

F-13 Second Addendum to Lease – Library Cafe

Resolution #2001-11-549

Moved by Beltramini

Seconded by Lambert

RESOLVED, That the Second Addendum to the Lease for the Library Café between the City of Troy and Z Team Enterprises, Inc. dba Jammin' Java of Troy, Michigan, is approved and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-7

F-14 Permanent Absent Voters

Resolution #2001-11-550

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That the Troy City Council authorize the Clerk to continue the City's practice of automatically mailing Absent Voter Ballot Applications to all voters upon the request of the voter.

Yes: All-7

F-15 SOCCRA – Senator Shirley Johnson’s Senate Bill 3 – Council Member Lambert’s Proposal - Item Withdrawn

COUNCIL COMMENTS/REFERRALS

Suspend City Council Rules and Continue with Agenda

Resolution #2001-11-551
Moved by Pryor
Seconded by Lambert

RESOLVED, That the City Council suspend the Rules of Procedure #19 and continue discussion on Agenda items to 12:25 a.m.

Yes: All-7

VISITORS

REPORTS AND COMMUNICATIONS

G-1 City of Troy Proclamation:

Resolution #2001-11-552
Moved by Pryor
Seconded by Beltramini

RESOLVED, That the following City of Troy Proclamation, be approved:

a) Proclamation - Michigan Recycles Day – November 15, 2001

Yes: All-7

G-2 Minutes – Boards and Committees:

- a) Planning Commission-Special Study Meeting/Final – June 26, 2001
- b) Planning Commission/Final – July 10, 2001
- c) Traffic Committee/Final – July 18, 2001
- d) Planning Commission/Final – August 14, 2001
- e) Historical Commission/Final – August 28, 2001
- f) Planning Commission/Final – August 28, 2001
- g) Troy Daze/Final – September 5, 2001
- h) Employees’ Retirement System Board of Trustees/Final – September 12, 2001
- i) Library Advisory Board/Final – September 13, 2001

- j) Parks and Recreation Board/Final – September 13, 2001
- k) Board of Zoning Appeals/Final – September 18, 2001
- l) Troy Historical Commission/Draft – September 25, 2001
- m) Planning Commission/Draft – October 2, 2001
- n) Advisory Committee for Persons with Disabilities/Draft – October 3, 2001
- o) Building Code Board of Appeals/Draft – October 3, 2001
- p) Advisory Committee for Senior Citizens/Draft – October 4, 2001
- q) Employees' Retirement System Board of Trustees/Draft – October 10, 2001
- r) Library Advisory Board/Draft – October 11, 2001
- s) Board of Zoning Appeals/Draft – October 16, 2001
- t) Parks & Recreation Board/Draft – October 18, 2001
- u) Troy Daze/Draft – October 23, 2001

Noted and Filed

G-3 Department Reports:

- a) September 30, 2001 – Quarterly Financial Report

Noted and Filed

G-4 Announcement of Public Hearings:

- a) Request for Commercial Vehicle Appeal – 1956 Castleton – Scheduled for November 19, 2001
- b) Request for Commercial Vehicle Appeal – 1421 Hartwig – Scheduled for November 19, 2001
- c) Request for Parking Variance – 1477 John R – Scheduled for November 19, 2001

Noted and Filed

G-5 Proclamations/Resolutions from Other Organizations:

- a) City of Birmingham – Resolution Re: September 11, 2001
- b) Charter Township of Brownstown – Resolution Re: Opposition to the Creation of a State Oversight Contracting Board in Relation to Detroit Metropolitan Airport and Any Other Legislation That Weakens the “Home Rule” or Usurps the Authority of Local Elected Officials

Noted and Filed

G-6 Letters of Appreciation:

- a) E-Mail to Carol Anderson From Robert M. Schultz Thanking the Parks & Recreation Staff for Their Participation in the Citizen's Academy
- b) Letter to John Abraham From Frank P. Cardimen, Jr. – President of Traffic Improvement Association of Oakland County Thanking Him for Participating in Their “Early Birds” Education Meeting
- c) Letter to Chief Charles Craft From Ronald A. Bulgarelli – Principal of Susick Elementary School Thanking Sergeant Redmond for Patrolling Their Parking Lot, Thanking Officer Kaptur For Attending Various School Activities and For the Police Department's Overall Support and Involvement in Public Education

- d) Letter to Chief Charles Craft From August Hofbauer – President & CEO of Porsche Engineering Services, Inc. Thanking Officers John Block, Theresa Harrison and Mark Owczarzak For Their Assistance During the Recent Emergency That Occurred at Their Facility
- e) Letter to Gary Shripka From Richard Ridings, APWA President, Thanking the City's Support of Sam Lamerato's Volunteer Leadership Position as Chair of the Fleet Services Committee For the Term September 2001-September 2002
- f) Letter to Lieutenant Steve Zavislak and Officer Jay Reynolds From Teachers Mrs. Demske, Ms. Krywick, and Mrs. Stowers For Assisting the Second Grade Students at Susick Elementary School With Their Social Studies Unit
- g) Letter to Chief Charles Craft From Karen Jarema Expressing Her Gratitude About How the Troy Police Department Handled a Drunk Driving Incident That Occurred in Front of Her House and For the Assistance She Received From Officer Michael
Noted and Filed

G-7 Calendar

-
- G-8 Open Letter to Michigan Residents Received from the State of Michigan – John Engler, Governor Re: Michigan Civil Rights Commission and Department of Civil Rights**

Noted and Filed

-
- G-9 Follow-up Letter to Bruce Darga From Steven Vandette Re: Crooks Road Widening Project**

Noted and Filed

-
- G-10 Memo From Council Member Robin Beltramini Re: SEMCOG Meeting, October 25, 2001**

Noted and Filed

-
- G-11 Memo From John Szerlag, City Manager to Mayor and City Council Re: Response to Questions Raised at the October 9, 2001 Public Hearing on Proposed Natural Features, and Wetland Protection Ordinances**

Noted and Filed

G-12 Planning Director

Noted and Filed

The meeting adjourned at 12:27 A.M.

Matt Pryor, Mayor

Tonni L. Bartholomew, City Clerk

Certificate of Recognition

This certificate is awarded to

Brian DeFrancesco

In recognition of your hard work and dedication implementing and coordinating the monthly Friday Frolic dance at the Troy Community Center for teens and young adults with developmental disabilities. Your dedication and commitment to these special citizens during the past 12 years are to be commended. This is truly a wonderful program thanks to your attendance each month, as well as your help in securing volunteers, providing a DJ and arranging publicity. Your hard work is a credit to yourself, your family, the Friday Frolic participants and the City of Troy.

CITY OF TROY

500 W. BIG BEAVER

TROY, MI 48084



Matt Pryor, Mayor

November 19, 2001

November 13, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: Proposed Rezoning – Proposed Fountain Park Condominiums, East side of Rochester and North of Wattles, Section 14, R-1C to R-1T (Z-672)

The City of Troy erred in processing this request for rezoning. We have taken the required steps to correct our error and therefore rescheduled the rezoning request for the meeting of November 19, 2001.

The error was that a notice of public hearing was not published. You may recall that there was a notice, as required, for the Planning Commission. When the request was placed on the agenda for the November 5, 2001 City Council meeting, as a matter of policy, a second public hearing notice should have been published. Unfortunately, this did not occur even though City Council granted the rezoning request.

Internally, we have taken steps to ensure this will not happen again. More importantly, we have notified Mr. John Janviriya the petitioner of the error and offered our apologies for any inconveniences because of the error. Therefore, the rezoning request will be considered for a second time by City Council.

The Schout Development Company submitted a rezoning request for their property, 2.74 acres, comprised of lots 2, 3 and 4 in Supervisor's Plat # 22, located on the east side of Rochester Road and north of Wattles Road. Current zoning classification is R-1C One Family Residential and the proposed zoning classification is R-1T One Family Attached. Petitioner has submitted a schematic site plan that includes an attached condominium development with 14 units. The site plan appears to not have the required landscaped open space.

Current use of the subject properties is one family residential. The adjacent land uses include: Tom's Landscape to the north; Maya's Meadows Condominium to the south; Tom's Landscape to the east; and one family residential and vacant to the west.

Current Master Land Use Plan designation for the subject property is Medium Density Residential. The adjacent land use designations include: Medium Density Residential to the north; Medium Density Residential to the south; Medium Density Residential and/or Low Density Residential to the east; and Medium Density Residential to the west.

Current zoning district classification of the subject property is R-1C One Family Residential. The adjacent zoning district classifications include: R-1C One Family Residential to the north; R-1T Medium Density Residential to the south; R-1C One Family Residential to the east; and R-1C One Family Residential and CR-1 One Family Residential (cluster) to the west.

The proposed rezoning is consistent with the Master Land Use Plan and is compatible with the adjacent zoning districts and existing land uses. Based upon the findings, the Planning Department recommended Approval of the rezoning request. The Planning Commission, at their October 2, 2001 Regular meeting, adopted the following resolution:

Moved by: Littman

Seconded by: Pennington

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1C to R-1T rezoning request of 2.74 acres, comprised of lots 2, 3 and 4 of Supervisor's Plat #22, located on the east side of Rochester Road and north of Wattles Road, be granted, to enable the development of an attached residential condominium.

Yeas: All Present (9)

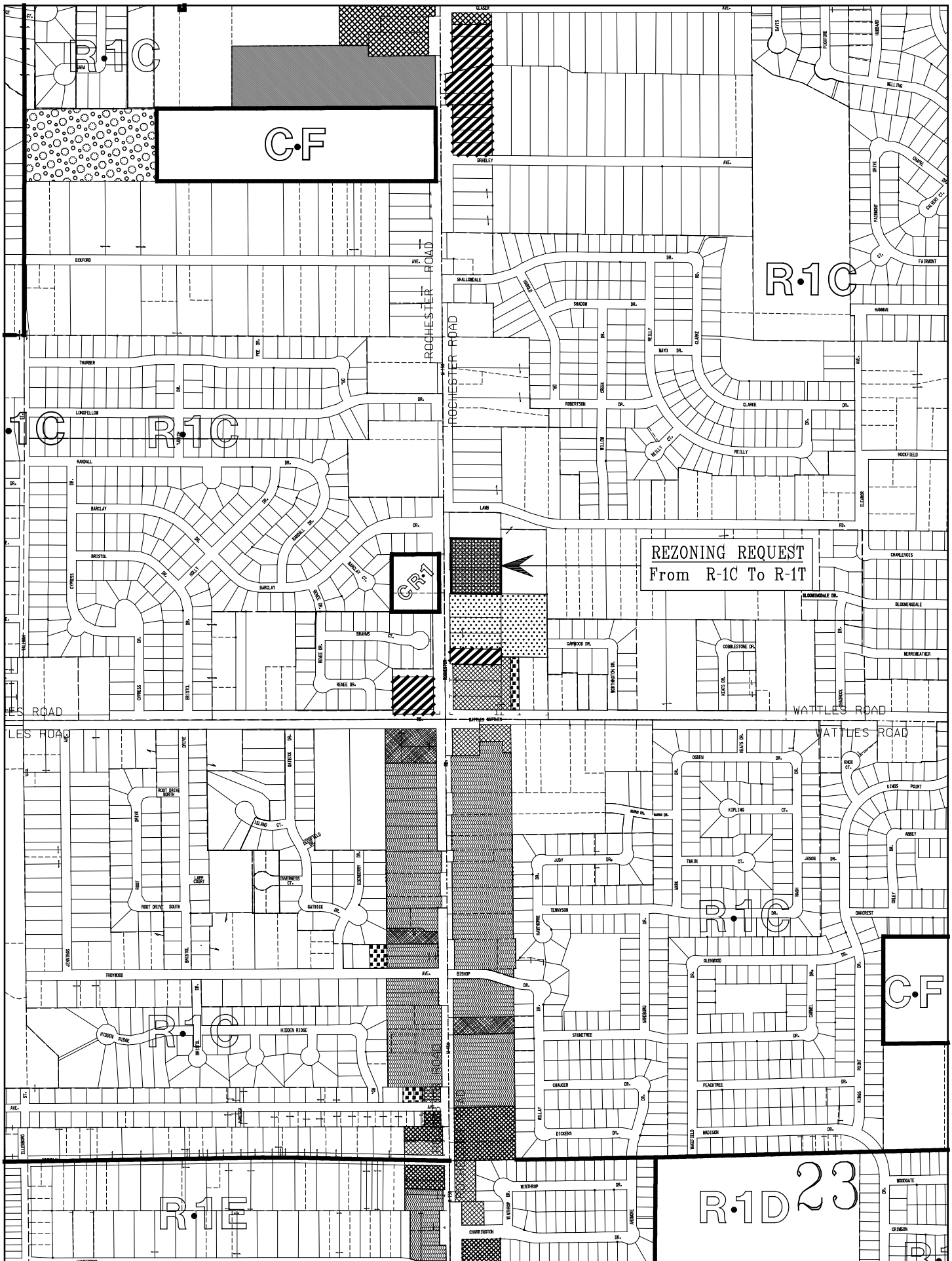
RESOLUTION APPROVED

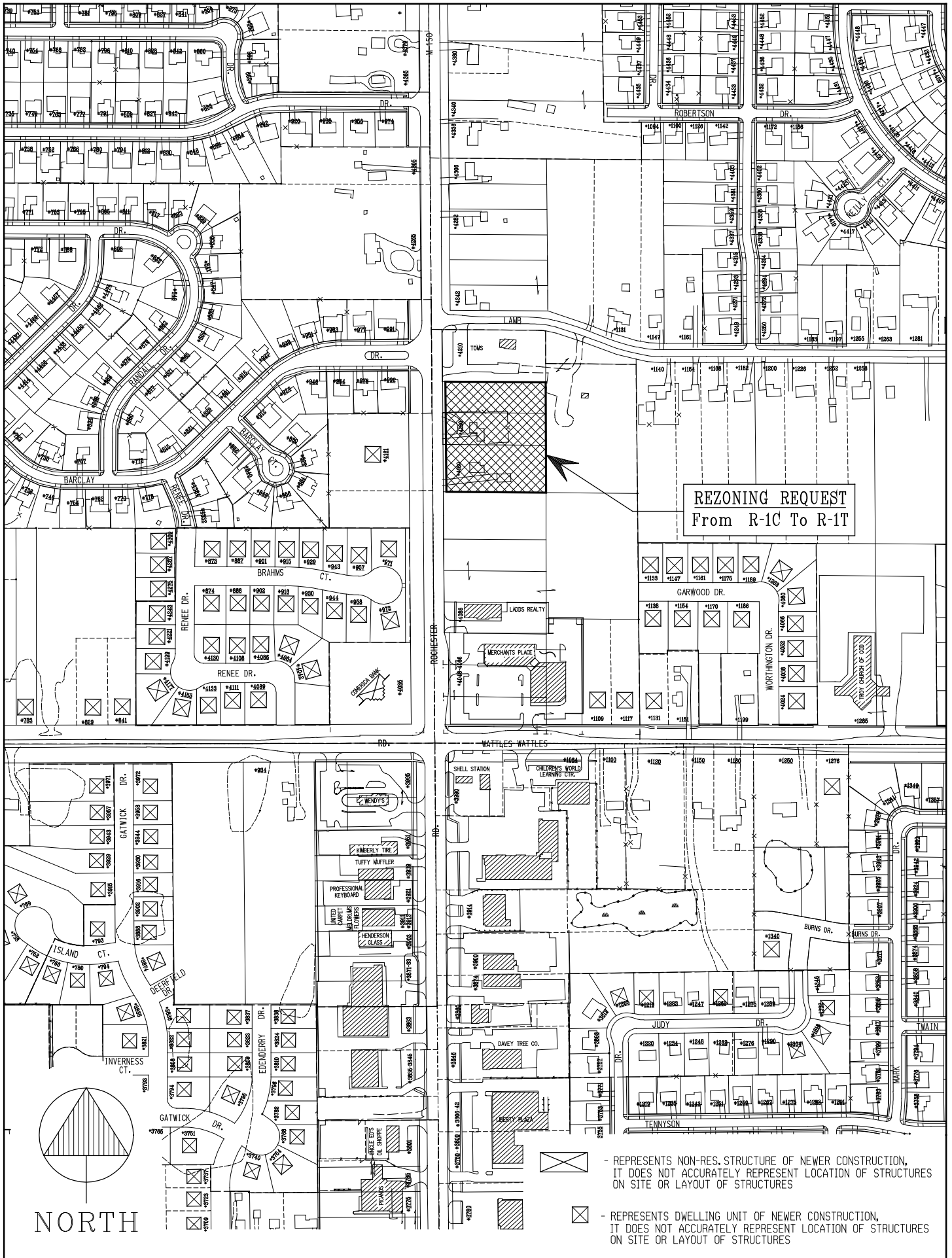
City Management recommends Approval of the subject rezoning request.

Enclosures

Copies: Mark Stimac, Director of Building and Zoning
Steve Vandette, City Engineer
Petitioner, John Janviriya
File/Z-672
File/Correspondence

MFM/dav





C-1 Rezoning – Proposed Fountain Park Condominiums, East Side of Rochester and North of Wattles, Section 14, R-1C to R-1T (Z-672)

Resolution #2001-11-518

Moved by Pallotta

Seconded by Howrylak

RESOLVED, That the R-1C (One-Family Residential) to R-1T (Medium-Density Residential) rezoning request of 2.74 acres, comprised of 2, 3 and 4 of Supervisor's Plat #22, located on the east side of Rochester Road and north of Wattles Road, Section 14, is hereby approved, as recommended by City Management and the Planning Commission.

Yes: All-7

7. PUBLIC HEARING-PROPOSED REZONING (Z-672) – Proposed Fountain Park Condominiums, East side of Rochester and North of Wattles, Section 14, R-1C to R-1T

Mr. Miller stated that the Schout Development Company have submitted a rezoning request for their property, 2.74 acres, comprised of lots 2, 3 and 4 in Supervisor's Plat # 22, located on the east side of Rochester Road and north of Wattles Road. Current zoning classification is R-1C One Family Residential and the proposed zoning classification is R-1T One Family Attached. Petitioner has submitted a schematic site plan that includes an attached condominium development with 14 units. The site plan appears to not have the required landscaped open space.

Mr. Miller further stated that the current use of the subject properties is one family residential. The adjacent land uses include: Tom's Landscape to the north; Maya's Meadows Condominium to the south; Tom's Landscape to the east; and one family residential and vacant to the west.

Mr. Miller further stated that the current Master Land Use Plan designation for the subject property is Medium Density Residential. The adjacent land use designations include: Medium Density Residential to the north; Medium Density Residential to the south; Medium Density Residential and/or Low Density Residential to the east; and Medium Density Residential to the west.

Mr. Miller further stated that the current zoning district classification of the subject property is R-1C One Family Residential. The adjacent zoning district classifications include: R-1C One Family Residential to the north; R-1T Medium Density Residential to the south; R-1C One Family Residential to the east; and R-1C One Family Residential and CR-1 One Family Residential (cluster) to the west.

Mr. Miller further stated that the proposed rezoning is consistent with the Master Land Use Plan and is compatible with the adjacent zoning districts and existing land uses. Based upon the findings the Planning Department recommends that the Planning Commission recommend to City Council approval of the subject rezoning request.

Mr. Chamberlain asked the Petitioner, Mr. John Janviriya, 2815 Oak Brooke Lane., West Bloomfield, MI, 48323, if he had any further comments.

Mr. Janviriya, Petitioner, stated he had no additional comments.

Mr. Chamberlain opened the public hearing. There were no comments and the public hearing was closed.

RESOLUTION

Moved by: Littman

Seconded by: Pennington

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1C to R-1T rezoning request of 2.74 acres, comprised of lots 2, 3 and 4 of Supervisor's Plat #22, located on the east side of Rochester Road and north of Wattles Road, be granted, to enable the development of an attached residential condominium.

Yeas: All Present (9)

RESOLUTION APPROVED

November 12, 2001

Mr. John Janviriya
SCHOUT DEVELOPMENT
2815 Oak Brooke Lane
West Bloomfield, MI 48323

Re: Public Hearing Notice – Fountain Park Condominiums

Dear Mr. Janviriya:

The City of Troy erred in processing your request for rezoning. We have taken the required steps to correct our error and have rescheduled your rezoning request for the Council meeting of November 19, 2001.

The error was that a notice of public hearing did not get published. You may recall that there was a notice, as required, for the Planning Commission. When your request was placed on the agenda for the November 5, 2001 City Council meeting, as a matter of policy, a second public hearing notice should have been published. Unfortunately, this did not occur.

Internally, we have taken steps to ensure this will not happen again. More importantly, I would like to apologize to you for any and all inconveniences you may experience as a result of our error.

Hopefully, you will be able to attend the meeting of November 19, 2001. Thank you for your understanding in this matter and should you have any questions or wish to discuss this matter further, please contact me at 248-524-3330.

Sincerely,

John Szerlag,
City Manager

cc: The Honorable Mayor and City Council
Gary Shripka, Assistant City Manager/Services
Mark Miller, Planning Director
Tonni Bartholomew, City Clerk

DATE: November 13, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for Commercial Vehicle Appeal
1956 Castleton

On August 13, 2001, information was sent to the residence of Mr. Thomas Scott that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the Chevy cube van parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Scott has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of November 19, 2001.

This property is a relatively small, standard R-1E zoned subdivision lot. The property currently has a 1300 square foot home and a 536 square foot detached garage. The truck is too tall however to fit into the existing garage. Based upon the restrictions of Section 40.57.04, an additional 114 square feet of accessory building could be constructed.

A copy of the application and photo is attached for your reference.

Should you have any questions or require additional information, kindly advise.

COMMERCIAL VEHICLE
APPEAL APPLICATION

RECEIVED

SEP 21 2001

Request is hereby made for permission to keep a commercial vehicle(s) as described below on the following residential zoned site:

BUILDING
DEPARTMENT

NAME: THOMAS SCOTT
ADDRESS: 1956 CASTLETON
CITY: TROY MI. ZIP: 48063 PHONE: 246 699 2383
ADDRESS OF SITE: SAME
NUMBER OF VEHICLES: 1
VEHICLE IDENTIFICATION NUMBER(S) Z6B4631K8P4133946
LICENSE PLATE NUMBER(S) 1400 GP
DESCRIPTION OF VEHICLE(S) 93' CHEVY CUBE VAN (14')

REASON FOR APPEAL (see A - D below) TO ALLOW TO CONTINUE TO
PARK IN DRIVEWAY FOR UP TO ONE YEAR
OR UNTIL VEHICLE IS SOLD OR WE MOVE W/IN THIS YEAR

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:


44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..


(signature of applicant)

THOMAS J SCOTT

STATE OF MICHIGAN

COUNTY OF OAKLAND

On this 21ST day of SEPTEMBER, 192001 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Pamela B Pasternak Macomb

Notary Public,

County, Michigan

My Commission Expires: 09-01-03

RECEIVED

OCT 17 2001

10/16/01

BUILDING
DEPARTMENT

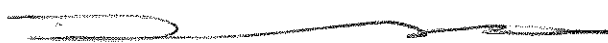
DEAR CITY OF TROY

ATTACHED IS A SURVEY OF OUR HOME (1956 CASTLETON) WITH TRUCK HIGHLIGHTED PARKED IN DRIVE. ITS A 9'3" CHEVY 14' CUBE VAN, IN WHICH I USE THIS VEHICLE FOR MY WORK. UP TO OCT 2000 THIS VEHICLE WOULD BE AT JOBS THRU OUT THE WEEKDAYS, BUT SINCE I HAVE HAD A SERIES OF MEDICAL PROBLEMS, I NOW DO MORE SALES & MAINTENANCE OF THE JOBS THAN PRODUCTION. I WOULD LIKE TO HAVE UP TO ONE YEAR TO CONTINUE TO PARK IT AT 1956 CASTLETON UNTIL WE MOVE OR UNTIL VEHICLE IS SOLD.

ALSO THE DELAY TO ANSWER THIS VIOLATION WAS DO TO MY MOTHER IN THE HOSPITAL FROM SEPT 21/01 TO SEPT 27/01 IN WHICH SHE PASS-AWAY. I WAS BURIED ON OCT 1/01, I AM THE FAMILY MEMBER IN WHICH IS HANDLING HER AFFAIRS

ANY QUESTIONS BEFORE MEETING PLEASE CALL 689 2383 IF NOT IN LGAVE DETAILED MESSAGE ON VOICE MAIL

THANK YOU,


THOMAS J SCOTT

RECEIVED

OCT 17 2001

MORTGAGE SURVEY
FOR

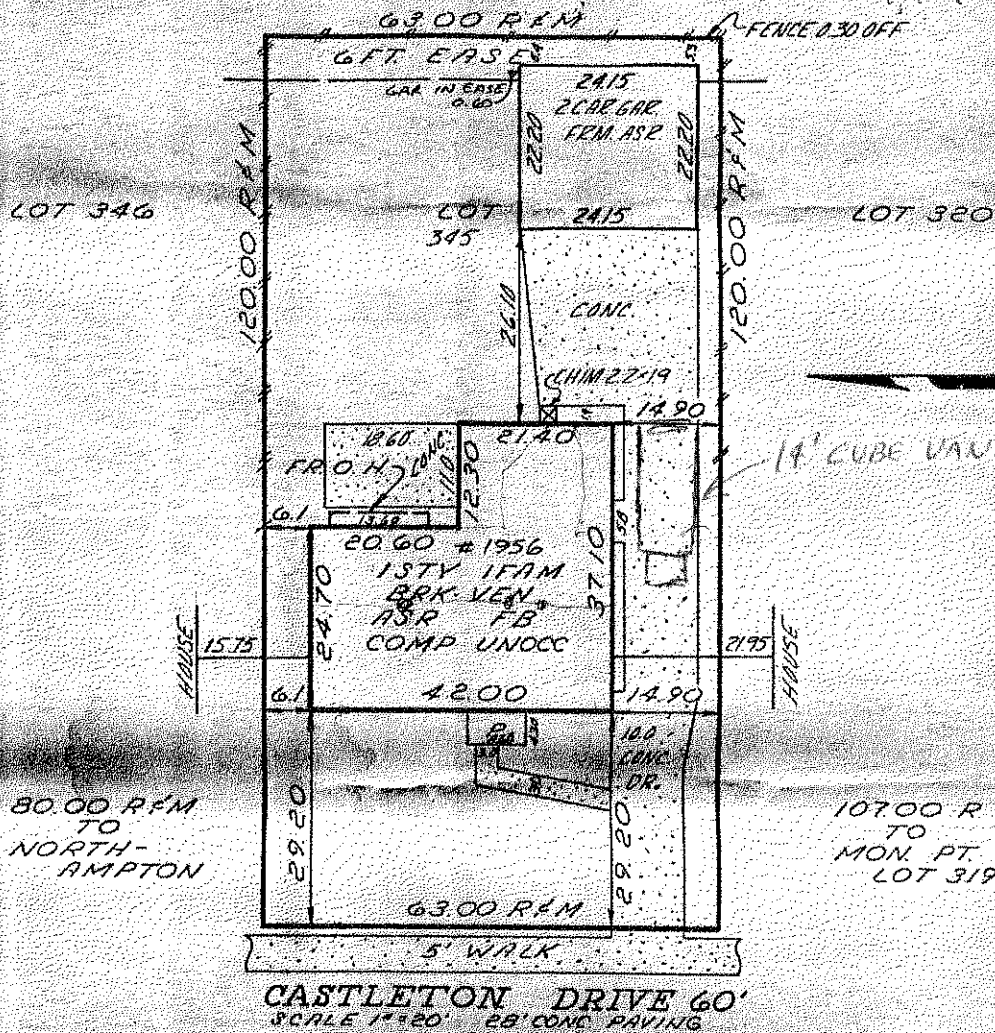
BUILDING
DEPARTMENT



Bank of Commerce

11300 Jos. Campau
Hamtramck, Michigan 48212 • Phone: 313/366-3200

Edward J. Schanbeck
Vice President
31912 Mound Road
Warren, Michigan 48092



LEGAL DESCRIPTION: Lot 345, "CARLSTON HEIGHTS SUB..." part of the E. 1/2 of Section 25, T.2N., R.11E., City of Troy, Oakland County, Michigan Liber 115 Page 5, 6, 7 & 8 O.C.R.

Survey # 86844
Larry R. Zezula

1/9/73 BP

Bank of Commerce
Barton Abstract & Title Company
Hangers Title Insurance Corporation

Whereas the above named parties have surveyed the property herein described and that there is a building on the same, a building photograph of which was taken on the date indicated and of which a print appears herein, that said improve-

MUNICIPAL PLANNING SERVICE



RECEIVED

NOV 08 2001

BUILDING
DEPARTMENT

TO: CITY COUNCIL

RECEIVED

NOV 08 2001

BUILDING
DEPARTMENT

Please register my approval ☐ objection ☒ to the request described on the reverse side.

My reason for this approval ☐ objection ☒ is:

I'M RETIRED AND SPEND A LOT OF,
TIME IN MY BACKYARD, WORKING
IN MY GARDEN.

MY NEIGHBORS TRUCK BLOCKS
MY VIEW.

NAME:

Leo Gallowski

ADDRESS OR PROPERTY DESCRIPTION

1972 CASTLETON

TO: CITY COUNCIL

Please register my approval ☐ objection ☒ to the request described on the reverse side.

My reason for this approval ☐ objection ☒ is:

His truck van obstructs my view of the
neighborhood neighborhood, I am his next door
neighborhood. In addition to the above stated
purpose, I also do not appreciate the noise the
vehicle makes when started. I feel that I am
the one neighbor in which will be affected most.

RECEIVED

NOV 09 2001

BUILDING
DEPARTMENT

NAME: Ismar Nison

ADDRESS OR PROPERTY DESCRIPTION 1942 Castleton
Troy MI 48083

TO: CITY COUNCIL

Please register my approval ☐ objection ☒ to the request described on the reverse side.

My reason for this approval ☐ objection ☒ is:

IF you LET ONE Person
Do IT you WILL HAVE TO
LET everyone ELSE DO IT.

I DON'T WANT MY NEIGHBORHOOD
TO LOOK LIKE DETROIT.

RECEIVED

NOV 12 2001

BUILDING
DEPARTMENT

NAME:

GERALD Temple

ADDRESS OR PROPERTY DESCRIPTION 1981 CASTLETON

DATE: November 13, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for Commercial Vehicle Appeal
1421 Hartwig

On September 28, 2001, information was sent to the residence of Mr. Anthony Benedict that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the Chevy tow truck parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Benedict has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of November 19, 2001.

This request is somewhat unusual in that the vehicle in question, although clearly a commercial vehicle, is not used by the owner on a regular basis for commercial purposes. The outdoor storage of the vehicle on residential property does however bring up the same concerns regarding use, aesthetics, and impact on the neighborhood.

The existing house on this site is 1176 square feet and there is a 400 square foot detached garage. Section 40.57.04 of the Troy Zoning Ordinance would allow an additional 200 square feet of accessory building on this site. The owner could also construct a significant attached garage on the site within the current zoning regulations.

A copy of the application and photo are attached for your reference.

Should you have any questions or require additional information, kindly advise.

RECEIVED

OCT 28 2001

**COMMERCIAL VEHICLE
APPEAL APPLICATION**

1 of 4

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following ~~residential~~ ^{commercial} zoned site:

NAME: Anthony A. BENEDICTADDRESS: 1421 HARTWIG DRIVECITY: TROY MI. ZIP: 48065 PHONE: 248 828 0002ADDRESS OF SITE: 1421 HARTWIGNUMBER OF VEHICLES: 1VEHICLE IDENTIFICATION NUMBER(S) 8NJ4221689LICENSE PLATE NUMBER(S) -DESCRIPTION OF VEHICLE(S) 1945 CHEVY TRUCKREASON FOR APPEAL (see A - D below) B-C+D Along with

THE FACT it is NOT USED FOR COMM'L & IS A "VINTAGE"
& HOPEFUL "Historical Plate" RECEPT SOMEDAY & IS IN
OPERABLE CONDITION FOR SHORT TRIPS

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE
 FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST
 ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- ☒ B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- ☒ C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- ☒ D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

RECEIVED

OCT 26 2001

204

BUILDING
DEPARTMENT

-2

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Anthony A. Benedict
(signature of applicant)

STATE OF MICHIGAN

COUNTY OF OAKLAND

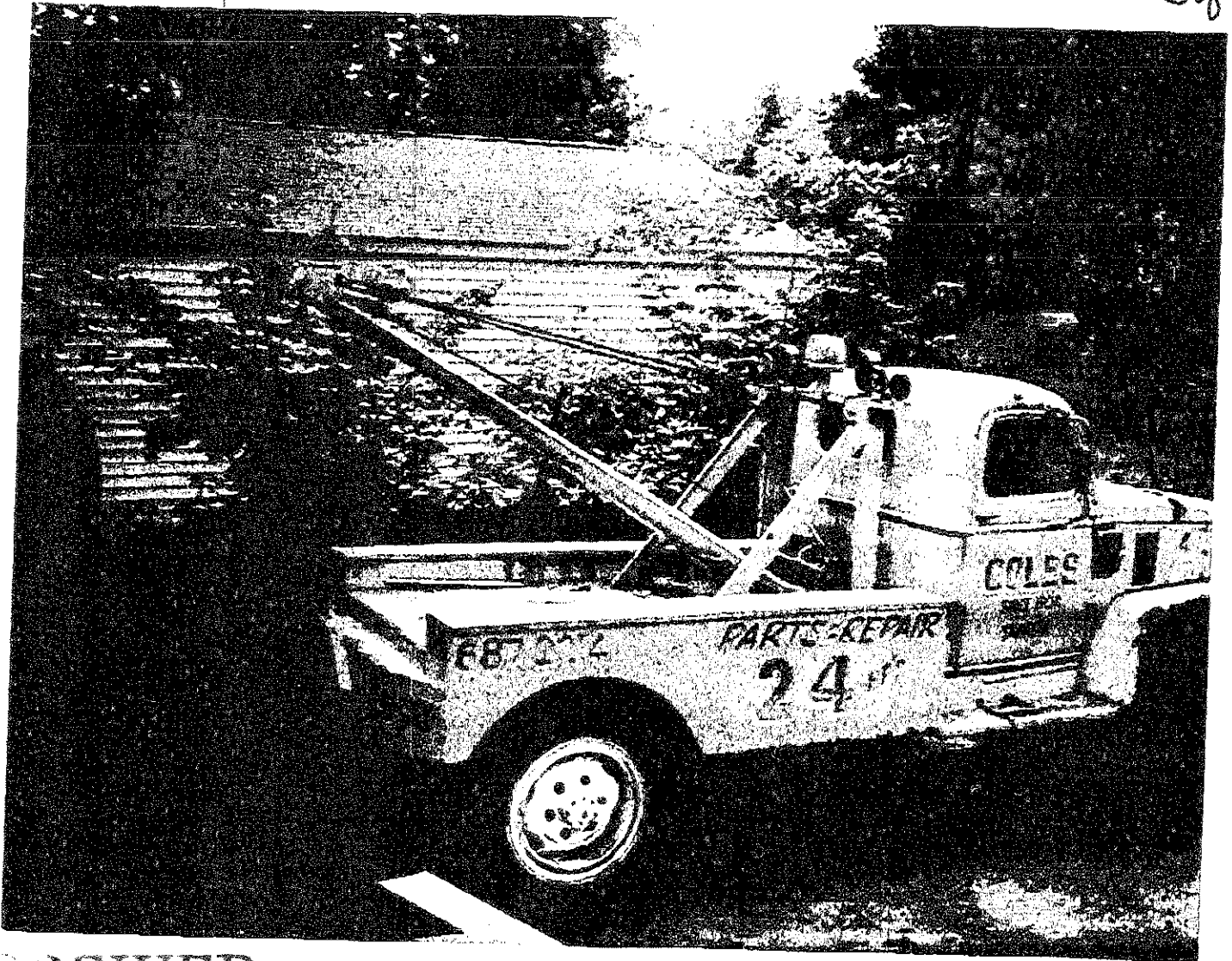
On this 20 day of OCTOBER, 2001 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Lenor P. Benedict
Notary Public,

Oakland
County, Michigan

My Commission Expires: 8-1-2003

3064



RECEIVED

OCT 26 2001

BUILDING
DEPARTMENT



110-0

VEHICLE

RECEIVED

OCT 28 2001

BUILDING
DEPARTMENT

GARAGE

PROPERTY OUTLINE

DRIVEWAY

170'-0"

35'-0"

HOUSE

1421

PROPOSED COMMERCIAL APPEAL APPLICATION

SCALE: 1/16" = 1'-0"

HARTWIG

4 of 4



PARTS-REPAIR

687-2214

24 HRS

COLES

SANITARY

TO: CITY COUNCIL

Please register my **approval** ☒ **objection** ☐ to the request described on the reverse side.

My reason for this **approval** ☒ **objection** ☐ is:

He is restoring an old truck and we don't see it as a commercial vehicle and don't have a problem with it in his backyard.

RECEIVED

NOV 09 2001

BUILDING
DEPARTMENT

NAME: *Bernice + Clyde Hardy*

ADDRESS OR PROPERTY DESCRIPTION *1435 HARTWIG*

RECEIVED

NOV 08 2001

TO: CITY COUNCIL

Please register my approval ☒ objection ☐ to the request described on the reverse side.

My reason for this approval ☒ objection ☐ is:

BUILDING
DEPARTMENT

IT IS NOT VISABLE FROM THE
STREET & THIS OWNER HAS
DONE SO MUCH TO IMPROVE
THE PROPERTY ALREADY HE
IS OUR SON!!!

LASTLY BECAUSE WE LIVE IN THE
SAME BLOCK WE CARE MORE
THEN MOST & MAKE SURE THINGS
ARE KEPT IN ORDER.

NAME: Anthony P. & LENA E. BENEDET

ADDRESS OR PROPERTY DESCRIPTION 1490 HARTWIG

DATE: November 13, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Miller, Planning Director
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Parking Variance Request
1477 John R

We have received an application from David Donnellon, Architect, to construct an outdoor dining area at the existing Mario's restaurant at 1477 John R. The additional 70 outdoor seats proposed would result in a total of 215 seats at this facility. Section 40.21.31 of the Zoning Ordinance requires that a minimum of 129 parking spaces be provided for a restaurant with this seating capacity. The plans submitted with the application indicate that there are only 81 parking spaces available on the site. The petitioner, through the use of lease agreements, proposes to use portions of the parking on the adjacent industrial building to the south and the commercial property to the north. If included in the total parking available, these additional parking spaces would bring the total number of spaces available to 155. Section 40.20.02 requires that required parking be located on the same lot as the building that it serves. Due to the insufficient on-site parking available the application has been denied. In response to our denial of the building permit, the applicant has filed an appeal for the deficiency of the 48 spaces.

I should note that I have previously granted approval for an outdoor dining area with a maximum capacity of 20 seats. This approval was granted under the provisions of Section 22.25.05 of the Zoning Ordinance. The provisions of that section do not require the provision of additional parking for the outdoor seating. Outdoor seating in excess of 20 seats, as provided for in Section 22.30.10, does require the additional parking.

Also, because the structures that are to be built as part of this development are located in the required front yard, setback variances will be required from the Board of Zoning Appeals in order to allow for their construction. That setback variance request is scheduled to be heard after your consideration of the parking variance.

A Public Hearing has been scheduled for your meeting of November 19, 2001 in accordance with Section 44.01.00.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the site plan of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

PARKING VARIANCE APPLICATION
FOR PUBLIC HEARING BEFORE CITY COUNCIL
CITY OF TROY

RECEIVED

OCT 29 2001

BUILDING
DEPARTMENT

TO TROY CITY COUNCIL

DATE: 10-29-01

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: David Donnellon Phone: (248) 244-2990

Address: 2151 Livernois, Suite 100, Troy, MI 48083

Address of Property: 1477 John R

Lot # Subdivision:

Zoning District: B-3 Sidwell # 20-35-226-096

Owner of Property: Vince Passalacqua Phone: (248) 588-6000

Address: 1477 John R, Troy, MI 48083

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: 10-23-01

Has there been a previous appeal involving this property? ^{not} sure If Yes, state date

and particulars

REASON FOR VARIANCE:

Dimension of Stall?

Parking Spaces Required: 129

Number of Stalls?

Parking Spaces Provided: 81

Other Dimensions?

Variance Requested: 48

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

Application for Parking Variance

-2

The Owner is requesting a variance for parking to meet the parking requirements of the proposed use for outdoor dining. Section 40.20.02 of the Zoning Ordinance requires parking on the same site. The parking is easily met with 74 additional spaces on adjacent sites. The additional parking will be constructed on the adjacent property and the additional parking, under a perpetual lease, will be in excess of the parking requirements of the adjacent uses.

Mario's Restaurant is surrounded by properties that are occupied by other buildings with other uses. There isn't any property to purchase. It is an extreme hardship to expand the property for more parking. The use of adjacent property for parking during off-hours is much more reasonable and logical.

The Owner, Vince Passalacqua, is very interested in improving the quality of the restaurant and the quality of the neighborhood with a variety of dining experiences. The John R and Maple Road area needs to be revitalized. Improvements are beginning to occur and Mario's can make a big contribution to the aesthetics of the area as well as breathing new life and vitality to the business environment. Outdoor dining will be more aesthetically pleasing than just new landscaping. Outdoor dining will give the business people in the area more options for fine dining. The parking agreements for extra spaces and spaces not readily utilized after 5 p.m. by existing business will make it easy to function without any of the burdens of creating additional traffic congestion.

PLOT PLAN OF SITE ATTACHED HERETO

STATE OF MICHIGAN)

COUNTY OF Oakland)

I HEREBY DESPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: 10-29-01


(Signature of Applicant)

Signed and Sworn to before me this 29th day of Oct 2001

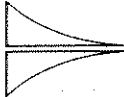
Patricia A. Gladys
Notary Public Macomb - Acting in Oakland

My Commission Expires: 3-18-04

Filing Fee \$200.00

Date Paid

10-29-01



DONNELLON • SWARTHOUT • ASSOCIATES • INC.

ARCHITECTS AND PLANNERS

October 9, 2001

Mr. Mark Stimac
Building Department
Troy City Hall
500 W. Big Beaver Road
Troy, MI 48084

Dear Mr. Stimac:

Re: Mario's Restaurant
Outdoor Dining

I am submitting the plans for Mario's Restaurant outdoor dining. This project includes an expanded patio for a total of 70 patrons, an attached gazebo and a few detached dining or serving areas with awnings.

It should be clear by the drawings that the request for expanded outdoor dining includes the use of adjacent parking lots. The jewelry store to the north, of course, already shares parking under an agreement that dates back 20 or 30 years. The parking on the adjacent industrial property is a perpetual agreement controlled by the owner of the restaurant. As long as the restaurant needs the extra parking, the owner will maintain the use agreement with the industrial property owner. I have included a copy of the lease agreement for your review.

Please take whatever steps are necessary to have this request put on the Council's agenda. If you have any questions, please call me.

Sincerely,

David Donnellon, AIA, AICP

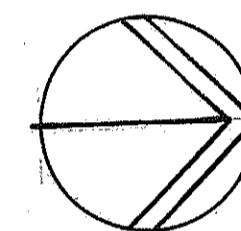
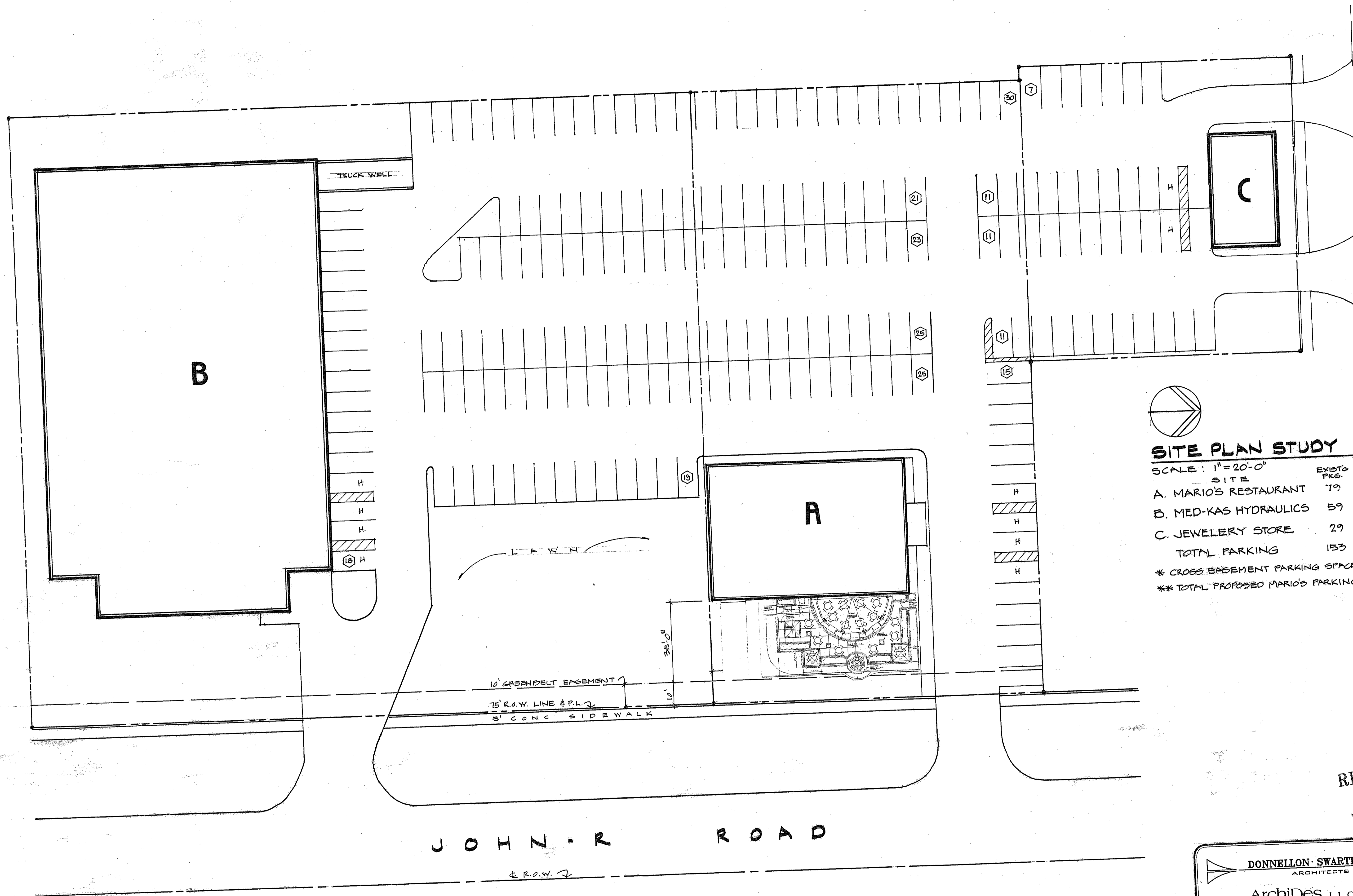
jd

Enclosures

cc Mr. Vince Passalacqua

RECEIVED
OCT 11 2001
BUILDING
DEPARTMENT

D
A
O
R
W
J
R
A
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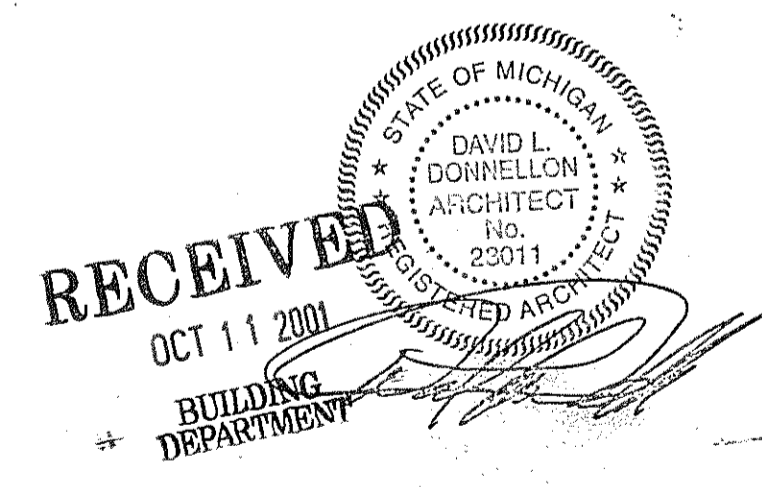
SITE PLAN STUDY

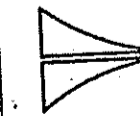
SCALE: 1" = 20'-0"

SITE	EXISTG PKG.	PROPOSED PKG.	FOR MARIOS
A. MARIO'S RESTAURANT	79	81	81
B. MED-KAS HYDRAULICS	59	95	*64
C. JEWELRY STORE	29	34	*10
TOTAL PARKING	153	210	155**

* CROSS EASEMENT PARKING SPACES

** TOTAL PROPOSED MARIO'S PARKING





DONNELLON · SWARTHOUT · ASSOCIATES · INC.
ARCHITECTS AND PLANNERS

Archides, L.L.C.
Architectural Design • Planning • Programming

2151 LIVERNOIS, STE 300
PHONE (248) 244-2990

TROY, MI 48063-1641
FAX (248) 244-2992

RECEIVED

OCT 11 2001

LEASE AGREEMENTBUILDING
DEPARTMENT

This document evidences an agreement between ~~Mari~~ Troy, Inc., hereinafter referred to as lessee, and Timed Properties, hereinafter referred to as lessor. Lessor hereby agrees to lease sixty-three (63) parking places at 1419 John R in Troy, Michigan for the consideration of ninety-nine dollars (\$99.00) per month. The lease shall be effective on April 1, 2001 and shall terminate on March 31, 2002. The lease will allow the customers of the tenant to use said parking spaces from 3 p.m. until 1 a.m. during the time that the lease is in effect. The tenant will have an option to renew the lease for the identical consideration upon the expiration of this lease. The renewed lease will be in effect for this additional year with the tenant to have the option to renew the lease again upon identical terms as contained in the lease herein for the next additional year. This arrangement shall continue until the tenant does not renew the lease. The lease shall be considered to be renewed each year as stated above upon a tender by the tenant to the landlord of a written lease substantially incorporating the terms contained herein, time not being of the essence. The consideration for the option to renew the lease is one dollar (\$1.00) per month for each month that the lease is in effect. The lessee will keep the leased parking area in reasonable repair, absent normal wear and tear. The tenant will hold the landlord harmless from any claims arising from the use of the

JAN-16-2001 03:22P FROM:

TO:12485850646

P:3/3

leased spaces during the time that such spaces are used by
customers of the tenant.

Mario's of Troy, Inc.
By: Vincent Passalacqua

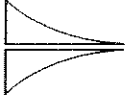
Dated:


Timed Properties

By:

Dated:

1-18-01



DONNELLON · SWARTHOUT · ASSOCIATES · INC.

ARCHITECTS AND PLANNERS

November 12, 2001

Mr. Mark Stimac
Building Department
Troy City Hall
500 W. Big Beaver Road
Troy, MI 48084

Dear Mr. Stimac:

Re: Mario's Restaurant
Parking Variance

A question has come up as to the permanency of the parking agreement between Mario's and the property owner to the south. What assurances does the City have that in five or six years or even 20 years, that the parking lease can be terminated by the adjacent property owner? As I read the lease agreement, the owner of Mario's has a perpetual lease and it is Mario's owner that can choose to terminate the lease.

In that regard, the outdoor dining can be continued as a special use as long as the parking is available. I believe on the other hand that if the dining were to cease, there would be no need for the parking.

Could you please have the City Attorney check the lease to see if counsel has the same opinion as I do? I would like to be able to address this issue at the City Council Meeting on November 19, 2001 and have the City Attorney concur.

Thank you for your assistance in this matter.

Sincerely,

David Donnellon, AIA, AICP

jd

cc Mr. Tony Pallota

Date: November 5, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
William R. Need, Public Works Director

Re: 2002 Community Development Block Grant (CDBG)
Application, Subrecipient Agreement and Reprogramming Request

RECOMMENDATION

The Public Works Department is requesting that the proposed Community Development Block Grant Application be approved for program year 2002-2003. We are also requesting approval to reprogram 1998 funds as detailed below.

BACKGROUND INFORMATION

The following projects are being recommended for the 2002 CDBG program:

Home Chore Program	\$50,000.00
Install automatic door openers at DPW facility for ADA compliance	8,000.00
Administration	10,000.00
Storm drain construction on Dashwood and Lovington Streets	145,290.00
Total	\$213,290.00

As in past years, we must hold a minimum of one public hearing that must be advertised in a local newspaper following our public hearing notification requirements.

Attached is the most recent census tract map showing which areas of Troy qualify for CDBG funds. If a project is not in the qualified area on the map, we must either qualify individual households or do neighborhood surveys.

The program year 2002 CDBG application is due to the County by December 3, 2001. A council resolution will be needed to approve the proposed projects for the grant application and subrecipient agreement.

In addition, we are also requesting a resolution approving the reprogramming of the following 1998 unexpended funds.

Existing (From):

Account #	Activity Description	Amount
2400	Remove Architectural Barriers	\$13,500.22
3188	Minor Home Repair	1,400.00
3616	Special Assessment	7,270.00

Proposed (To):

Account #	Activity Description	Amount
2696	Flood Drain Improvements	\$22,170.22

The original projects listed have been completed and we are requesting that the funds be reallocated to the Flood Drain Improvement Project.

**Oakland County Community and Home Improvement
PY 2002 CDBG Application (May 2002 - April 2003)**

APPLICATIONS ARE DUE NO LATER THAN MONDAY, DECEMBER 3, 2001

To: Carla Spradlin, Planner
Oakland County Community and Home Improvement
EOB Room 112 1200 N Telegraph Road Pontiac MI 48341-0414
spradlinc@co.oakland.mi.us (248) 858-5312 phone (248) 858-5311 fax

APPLICATION CHECKLIST

PROJECT PAGES

<input checked="" type="checkbox"/>	Community
<input checked="" type="checkbox"/>	Contact Person
<input checked="" type="checkbox"/>	Telephone Number
<input checked="" type="checkbox"/>	Fax Number
<input checked="" type="checkbox"/>	PY 2002 Planning Allocation
<input checked="" type="checkbox"/>	Project Title/Activity Name
<input checked="" type="checkbox"/>	Activity Number
<input checked="" type="checkbox"/>	Location
<input checked="" type="checkbox"/>	Site Address
<input checked="" type="checkbox"/>	Locality
<input checked="" type="checkbox"/>	State
<input checked="" type="checkbox"/>	Zip Code
<input checked="" type="checkbox"/>	Description
<input checked="" type="checkbox"/>	Target Date
<input checked="" type="checkbox"/>	Estimated Amount of CDBG
<input checked="" type="checkbox"/>	Other Funding Source
<input checked="" type="checkbox"/>	Environmental Review Classification
<input checked="" type="checkbox"/>	Accomplishments Type
<input checked="" type="checkbox"/>	Proposed Units

ENVIRONMENTAL REVIEW RECORD INFORMATION

<input type="checkbox"/>	Environmental Assessment
<input type="checkbox"/>	Statutory Checklist
<input type="checkbox"/>	Project Location Map
<input type="checkbox"/>	Flood Plain Map
<input type="checkbox"/>	Historic Preservation Profile

ADDITIONAL INFORMATION TO BE SUBMITTED

<input type="checkbox"/>	Signature Page
<input type="checkbox"/>	Public Hearing Notice
<input type="checkbox"/>	Public Hearing Minutes
<input type="checkbox"/>	All Decisionary Meeting Minutes
<input type="checkbox"/>	Resolution Authorizing Submittal of PY 2002 CDBG Application
<input type="checkbox"/>	Signed Subrecipient Agreement

Oakland County Community and Home Improvement PY 2002 CDBG Application (May 2002 - April 2003)

GENERAL INSTRUCTIONS

FUNDING

Oakland County does not have information on funding levels for Program Year 2002 at this time. Please use the Planning Allocation shown on the Subrecipient Agreement cover page to compile your 2002 CDBG Application/Agreement. When exact revenue figures are known individual projects will be proportionately adjusted.

PUBLIC INFORMATION

As part of the application process, your community is required to advertise and hold at least one public hearing and pass a resolution authorizing the distribution of CDBG funds as shown on your completed application.

Items which must be attached to the completed application include:

- A copy of the Notice of Public Hearing for your 2002 CDBG application published in at least one newspaper of general local circulation at least ten days before the hearing date. An Affidavit of Publication is ideal for this purpose.
- A true copy of the minutes of your public hearing. A *true copy* is a copy of your minutes with a statement, signed by your official clerk, that the minutes are a true and accurate record of the proceedings.
- A true copy of the resolution by your community's governing board setting forth the planned use of CDBG funding for program year 2002. A *true copy* is a copy of your resolution with a statement, signed by your official clerk, that the resolution is true and accurate.

SUBRECIPIENT AGREEMENTS

Oakland County is considered an "urban county" grantee by the U. S. Department of Housing and Urban Development, and all fifty participating communities are considered subrecipients. CDBG regulations require the county to execute a Subrecipient Agreement with each participating community. **The enclosed Subrecipient Agreement spells out your obligations under 24 CFR 570.503 and must be signed by your Highest Elected Official, attached to this application, and returned to the county with your application in order to receive funds.**

OBLIGATION OF FUNDS

Federal regulations prohibit the obligation or expenditure of grant funds before receipt. Therefore, DO NOT OBLIGATE OR SPEND Program Year 2002 CDBG funds until you have received the official award letter from Oakland County Community and Home Improvement in early June of 2002. This letter will indicate when your community has the authority to obligate and spend funds. **If your community obligates 2002 funds before the date of release, Oakland County Community and Home Improvement cannot honor the obligation.**

ENVIRONMENTAL REVIEW

Federal laws, principally the National Environmental Policy Act of 1969 (NEPA), requires that all CDBG-funded projects be environmentally classified. An **Environmental Assessment** is required for all projects that are not categorically excluded or exempt. **A Statutory Checklist, Project Location Map, and Flood Plain Map** is required for all categorically excluded and environmentally assessed projects. If your application includes a Historic Preservation project you must also complete an Historic Preservation Profile. Include all required documentation with your application.

Oakland County Community and Home Improvement PY 2002 CDBG Application (May 2002 - April 2003)

APPLICATION INSTRUCTIONS

PROJECT PAGES

Please use one project page for each project. Also in the case of Public Services, do not use subaccounts such as "transportation," home chore," and "senior services" as HUD views these as three separate accounts or projects. Instead complete a "transportation" Project Page, a "home chore" Project Page, and a "senior services" Project Page.

PROJECT TITLE/ACTIVITY NAME/GRANTEE ACTIVITY NUMBER

Choose from the list of Eligible Activities in your Application Packet

PROJECT DESCRIPTION

A Project Description must contain the following elements:

- Location - the specific site of the project (Independence Township Library)
- Site Address - the specific street address/address range of the project (6495 Clarkston Rd)
- Locality - the specific City/Township/Village (Independence Township)
- State (Michigan)
- Zip Code (48346)
- Description - for each project, describe what will take place with your 2002 CDBG funding.
For example, "Provide accessible items, including but not limited to, large-print reading materials"
- Project Maps - attach a detailed project map
- Target Date - Provide target dates for the beginning and end of each project
- Total Estimated Amount - enter the total anticipated amount of 2002 CDBG funding intended for the project
- Other Funding Source -Identify non-CDBG funding intended for the project

ENVIRONMENTAL ASSESSMENT CLASSIFICATION

A - Exempt

B - Categorically Excluded

C - Assessment Completed (date)

ACCOMPLISHMENTS TYPE /UNITS

Enter the proposed accomplishment type and number of your project

- Low- and moderate-income persons (general)
- Low- and moderate-income youth
- Elderly persons (those aged 62 years and over)
- Low- and moderate-income households (general)
- Large low- and moderate-income households (5+ persons per household)
- Small low- and moderate-income households (1-4 persons per household)
- Elderly households (general)
- Housing units
- Public facilities
- Feet of public utilities

Examples include "ten low- and moderate-income persons," "three housing units," and "1,200 feet of storm drain."

**Oakland County Community and Home Improvement
PY 2002 CDBG Application (May 2002 - April 2003)**

ONE PROJECT PER PAGE

Community	CITY OF TROY
Contact Person	Nancy Kuha
Telephone Number	248-524-3399
Fax Number	248-524-3520
Planning Allocation	\$213,290

Project Title/Activity Name	PUBLIC SERVICE/HOME CHORE
Activity Number	3384

Location	City wide
Site Address	
Locality	City of Troy
State	Michigan
Zip Code	48085
Description (ATTACH PROJECT MAP)	
Home chore for seniors and persons with disabilities. Services to include lawn mowing, yard maintenance and snow removal.	
Target Date	June 2002
Estimated CDBG Amount	\$50,000
Other Funding Sources	None

**AN ENVIRONMENTAL ASSESSMENT CHECKLIST MUST BE COMPLETED
FOR THIS ACTIVITY UNLESS IT IS EXEMPT OR CATEGORICALLY EXCLUDED**

Environmental Assessment Classification	X	A – Exempt
		B – Categorically Excluded
		C- Assessment Completed Date:

Accomplishments Type	Proposed Units
Low- and Moderate-Income Persons (General)	
Low- and Moderate-Income Youth	
Elderly Persons (age 62 Years +)	70
Low- and Moderate-Income Households (General)	
Large Low- and Moderate-Income Households (5+ persons HH)	
Small Low- and Moderate-Income Households (1-4 persons HH)	
Elderly Households (General)	

	Housing Units	
	Public Facilities	
	Feet Of Public Utilities	

**Oakland County Community and Home Improvement
PY 2002 CDBG Application (May 2002 - April 2003)**

ONE PROJECT PER PAGE

Community	CITY OF TROY
Contact Person	Nancy Kuha
Telephone Number	248-524-3399
Fax Number	248-524-3520
Planning Allocation	\$213,290

Project Title/Activity Name	ADMINISTRATION
Activity Number	2328

Location	City wide
Site Address	
Locality	City of Troy
State	Michigan
Zip Code	48085
Description (ATTACH PROJECT MAP)	
Administrative expenses incurred while carrying out the CDBG program.	
Target Date	June 2002
Estimated CDBG Amount	\$10,000
Other Funding Sources	None

**AN ENVIRONMENTAL ASSESSMENT CHECKLIST MUST BE COMPLETED
FOR THIS ACTIVITY UNLESS IT IS EXEMPT OR CATEGORICALLY EXCLUDED**

Environmental Assessment Classification	X	A - Exempt
		B - Categorically Excluded
		C- Assessment Completed Date:

Accomplishments Type	Proposed Units
Low- and Moderate-Income Persons (General)	
Low- and Moderate-Income Youth	
Elderly Persons (age 62 Years +)	
Low- and Moderate-Income Households (General)	
Large Low- and Moderate-Income Households (5+ persons HH)	
Small Low- and Moderate-Income Households (1-4 persons HH)	

	Elderly Households (General)	
	Housing Units	
	Public Facilities	
	Feet Of Public Utilities	

**Oakland County Community and Home Improvement
PY 2002 CDBG Application (May 2002 - April 2003)**

ONE PROJECT PER PAGE

Community	CITY OF TROY
Contact Person	Nancy Kuha
Telephone Number	248-524-3399
Fax Number	248-524-3520
Planning Allocation	\$213,290

Project Title/Activity Name	REMOVE ARCHITECTURAL BARRIERS
Activity Number	2400

Location	City wide
Site Address	
Locality	City of Troy
State	Michigan
Zip Code	48085
Description (ATTACH PROJECT MAP)	
Install automatic door openers at side entrance of the Public Works Facility located at 4693 Rochester Rd., Troy, MI 48085. This location is a government building open to the public and is also used as a voting precinct.	
Target Date	June 2002
Estimated CDBG Amount	\$8,000
Other Funding Sources	None

**AN ENVIRONMENTAL ASSESSMENT CHECKLIST MUST BE COMPLETED
FOR THIS ACTIVITY UNLESS IT IS EXEMPT OR CATEGORICALLY EXCLUDED**

Environmental Assessment Classification		A - Exempt
	x	B - Categorically Excluded
		C- Assessment Completed Date:

Accomplishments Type	Proposed Units
Low- and Moderate-Income Persons (General)	
Low- and Moderate-Income Youth	
Elderly Persons (age 62 Years +)	
Low- and Moderate-Income Households (General)	
Large Low- and Moderate-Income Households (5+ persons HH)	

	Small Low- and Moderate-Income Households (1-4 persons HH)	
	Elderly Households (General)	
	Housing Units	
	Public Facilities	
	Feet Of Public Utilities	

**Oakland County Community and Home Improvement
PY 2002 CDBG Application (May 2002 - April 2003)**

ONE PROJECT PER PAGE

Community	CITY OF TROY
Contact Person	Nancy Kuha
Telephone Number	248-524-3399
Fax Number	248-524-3520
Planning Allocation	\$213,290

Project Title/Activity Name	SECTION 36/FLOOD DRAIN IMPROVEMENTS
Activity Number	2696

Location	Section 36
Site Address	Dashwood and Lovington Streets
Locality	City of Troy
State	Michigan
Zip Code	48085
Description (ATTACH PROJECT MAP)	
<p>Storm Drain Construction, Section 36, Dashwood and Lovington Streets. Census Tract 1973 Block Group 3. Install storm drains with catch basins. Project map, flood insurance map, statutory checklist, environmental assessment checklist, and eight-step decision making process information completed 10-23-00.</p>	
Target Date	June 2002
Estimated CDBG Amount	\$145,290
Other Funding Sources	None

**AN ENVIRONMENTAL ASSESSMENT CHECKLIST MUST BE COMPLETED
FOR THIS ACTIVITY UNLESS IT IS EXEMPT OR CATEGORICALLY EXCLUDED**

Environmental Assessment Classification		A - Exempt	
		B - Categorically Excluded	
	x	C- Assessment Completed	Date: October 23, 2000

Accomplishments Type	Proposed Units
Low- and Moderate-Income Persons (General)	
Low- and Moderate-Income Youth	
Elderly Persons (age 62 Years +)	
Low- and Moderate-Income Households (General)	60

	Large Low- and Moderate-Income Households (5+ persons HH)	
	Small Low- and Moderate-Income Households (1-4 persons HH)	
	Elderly Households (General)	
	Housing Units	
	Public Facilities	
	Feet Of Public Utilities	

**Oakland County Community and Home Improvement
PY 2002 CDBG Application (May 2002 - April 2003)**

SIGNATURE PAGE

Community

--

Highest Elected Official

Title

--	--

Signature of Highest Elected Official

--

Date

--

**Program Year 2001 Community Development Block Grant (CDBG)
Subrecipient Agreement between the
County of Oakland and the (City/Township/Village)**

1. INTRODUCTION

This subrecipient agreement is between the County of Oakland, a Michigan constitutional corporation (hereinafter referred to as "the County"), and the (City/Township/Village) (hereinafter referred to as "the Community"), in compliance with Community Development Block Grant (CDBG) regulations at 24 CFR 570.503.

2. TIME PERIOD

This agreement shall go into effect on the day that program year (PY) 2001 CDBG funds are released to the Community for expenditure and will remain in effect until either (A) all program year 2001 CDBG funds are expended and the seven-year record retention period has expired as specified in Section 11 of this agreement, or (B) the community terminates participation in the CDBG program at the end of a given three-year cooperative agreement period and the seven-year record retention period has expired as specified in Section 11 of this agreement, or (C) at the expiration of any additional period specified in the body of this agreement, whichever is longer.

3. STATEMENT OF WORK

The Community's PY 2001 project summary as contained in the County's approved PY 2001 CDBG application to the US Department of Housing and Urban Development (HUD) and any changes to that project summary through county-approved reprogrammings shall constitute the Community's PY 2001 CDBG statement of work.

4. RECORDS, REPORTS AND AUDIT

The Community shall provide the County with reports and/or data pertinent to the Community's CDBG program upon request. Reports and/or data may include, but not be limited to, financial data from any project or activity funded in whole or in part with CDBG funds, Direct Benefit Activity (DBA) reports on any activity funded in whole or in part by CDBG funds, and other CDBG-related performance data as necessary. The Community will allow HUD and/or County staff access to persons and records necessary to successfully complete program monitoring and audits in connection with the Community's CDBG program. The Community shall also comply with the provisions of the Single Audit Act of 1984, if applicable.

5. PROGRAM INCOME

The Community will remit to the County any and all CDBG program income received during PY 2001, from whatever program year's funding generated, to the County upon its receipt by the Community. The County shall hold these funds for the remainder of the 2001 program year, and then shall re-issue these funds to the Community in PY 2002 as an addition to its PY 2002 formula allocation, unless the County, for good cause, shall in writing inform the Community that it shall not have the program income returned and the reasons why it shall not be returned.

6. UNIFORM ADMINISTRATIVE REQUIREMENTS

The Community will comply with the requirements and standards of Office of Management and Budget (OMB) Circular A-87, *Cost Principles for State, Local, and Indian Tribal Governments*, OMB Circular A-128, *Audits of State and Local Governments*, and 24 CFR 85, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments* (sections 3, 6, 12, 20 through 22, 26, 32 through 37, 40, 41, 43, 51, and 52).

7. OTHER PROGRAM REQUIREMENTS

The Community shall carry out its CDBG activities in a manner consistent with the requirements contained in the three-year Cooperation Agreement between the County and the Community for program years 1997 through 2000, as renewed, with the applicable statutes and regulations governing the Consolidated and Annual Action Plans, and under Subpart K of the CDBG regulations, with the exception of the CDBG environmental review responsibilities, which shall be borne by the County, although the Community must still provide information and/or reports for the CDBG environmental review process as requested by the County, in accordance with Section 4 of this Subrecipient Agreement.

8. COMMUNITY HAS NO SUBRECIPIENTS

For purposes of the Oakland County CDBG program, all persons, agencies, suppliers, organizations, etc. hired by the Community to carry out activities funded in whole or in part with CDBG funds are contractors, not subrecipients of the Community. All procurement and other requirements as they relate to contractors apply. The community must have written agreements with all contractors. The community may not subgrant any CDBG funds to any person, organization, etc.

9. RELIGIOUS ORGANIZATIONS

CDBG funds may not be used for any kind of religious instruction, worship, proselytization, or related activity whatsoever. Religious organizations may only receive funds for non-religious activities meeting one or more CDBG objectives. In addition, these activities must be open to all persons otherwise qualified under CDBG regulations, regardless of religious affiliation. No religious test, affiliation, activity, or worship of any kind may be used as a precondition or condition for initial or continued receipt of benefits from any activity funded in whole or part by CDBG funds. The Community will include this or similar language in all agreements with contractors.

10. SUSPENSION OR TERMINATION

CDBG funding may be suspended or terminated by the County at any time if the Community fails to comply with any term of this award. Written suspension or termination notice will be sent to the Community by the County to the Community's business address as specified in the *Oakland County Directory*. The Community's termination of its participation in the CDBG program at the end of a given three-year cooperative agreement period or its suspension or termination by the County or HUD for program noncompliance does not relieve it of the obligations concerning Reversion of Assets (see Section 12), nor the requirements of Record Retention (see Section 11), nor of being monitored and/or audited by Oakland County or HUD regarding the Community's CDBG program performance prior to termination or suspension.

11. RECORD RETENTION

The Community must maintain all records pertaining to each CDBG project for seven years after (A) the Community has requested all of its CDBG funds for that project and the County's processing of the Community's last reimbursement request for that project and (B) closure of all pending matters related to the Community's grant in that program year. These records are public to the extent allowed by State and Federal Freedom of Information Act laws; however, information regarding the incomes, addresses, and names of individual and family clients of CDBG-funded activities shall not be released to the public. Also, copies of payrolls from CDBG-funded projects shall not be released until personal identifiers, e.g. names, addresses and social security numbers of individual payees have been removed to the extent mandated by state law.

12. REVERSION OF ASSETS

At the termination of the Community's participation in the CDBG program, or at the point of converting property acquired, rehabilitated, or otherwise enhanced with CDBG funds, to a use inconsistent with one or more objectives of the CDBG program, there shall be a reversion of assets.

In the case of a conversion to a non-eligible use, the Community will pay the County an amount equal to the current

market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the objects and/or property.

The County will then issue the funds in the next program year as an addition to the Community's CDBG allocation. If the Community terminates its participation in the CDBG program, then all property or objects acquired and/or improved with CDBG funds must meet one or more objectives of the CDBG program for a period of five years after the official termination of the Community's participation in the program. If the property or objects acquired or improved in whole or in part by CDBG funds will not be used to meet one or more objectives of the CDBG program, the Community must pay the County an amount equal to the current market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of or improvement to the objects and/or property--these funds will not be re-issued to the Community.

13. LEGAL INDEMNITY

The Community shall indemnify, defend, and hold harmless the County, its officials, volunteers, boards, commissions, and agents against any and all expense and liability arising from any act, omission, or negligence of the Community. In the event the Community becomes involved in, or is threatened with, litigation relative to the CDBG program, the Community shall immediately notify the County through the Manager of Community Development and the County may enter into such litigation to protect the interests of the County as they may appear.

14. RELATIONSHIP OF COUNTY AND COMMUNITY

For purposes of this agreement, the relationship of the Community to the County shall be that of two independent governmental entities. No partnership, association, or joint enterprise shall arise between the parties hereto as a result of any provision of this agreement except as specified in the 1997-99 Cooperative Agreement, as renewed, already executed between the Community and the County, nor shall any provision herein be construed as making an employee of the Community an agent or employee of the County.

15. NOTIFICATION OF LEGAL ACTION

The Community shall notify the County, through the Manager of Community Development, in writing, of its intent to pursue a claim against the County for breach of any of the terms of this agreement. No suit may be commenced by the Community for breach of this contract prior to the expiration of ninety days from the date of such notification. Within this ninety-day period, the Community, at the request of the County, must meet with an appointed representative of the County for purposes of attempting to resolve the dispute.

IN WITNESS WHEREOF, the authorized representatives of the County and the Community have signed this agreement below, and agree to abide by all terms as set forth herein.

County of Oakland by

City/Township/Village by

L. Brooks Patterson, County Executive

Highest Elected Official

Date_____

Date_____

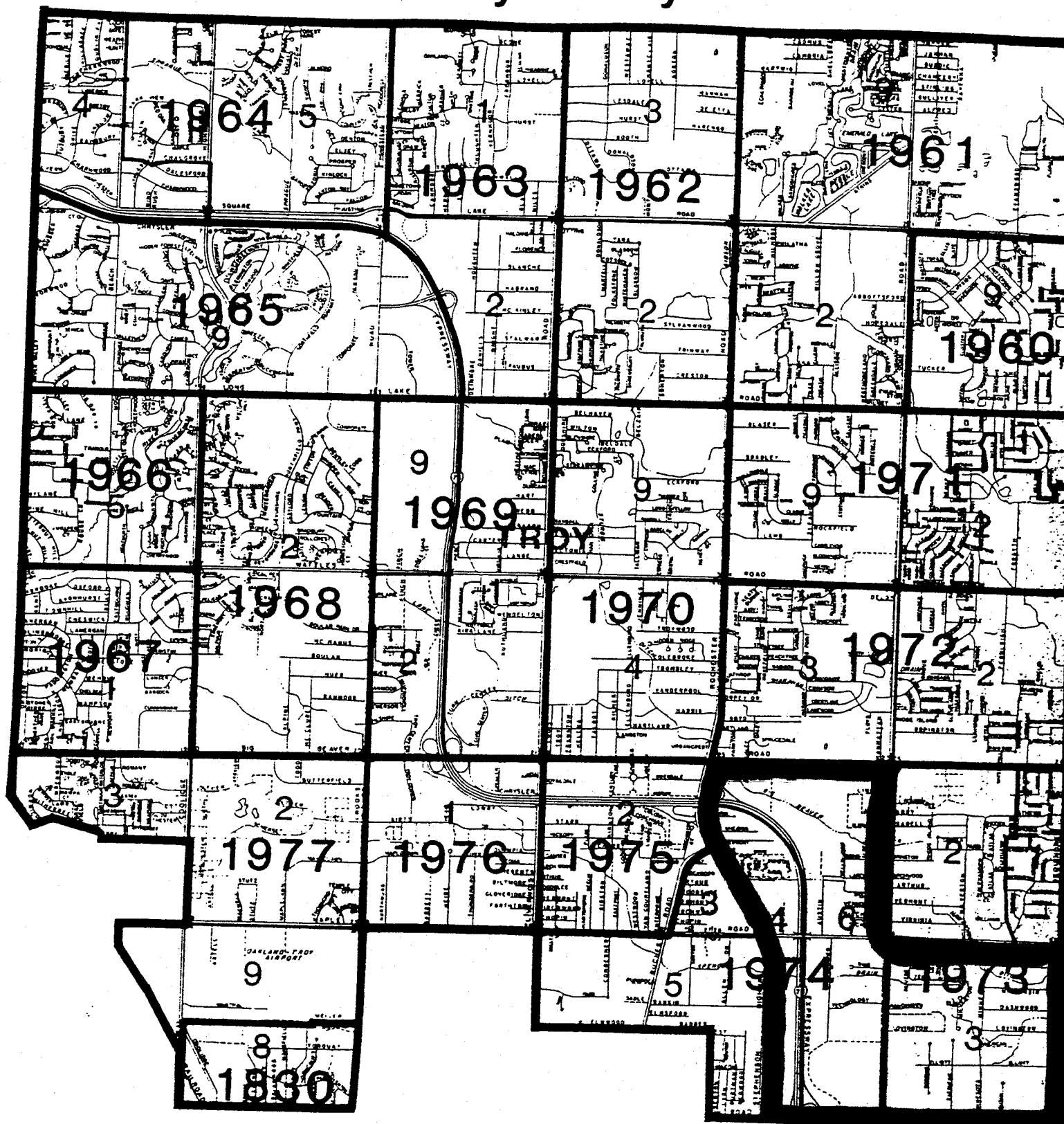
Witnessed By

Witnessed By

Date_____

Date_____

City of Troy



Areawide Benefit Area(s):

TRACT	BG	COMMUNITY NAME	LOW/MOD PERSONS	LOW/MOD UNIVERSE	LOW/MOD PERCENT
197400	4	Troy city	226	407	55.5
197400	6	Troy city	369	400	92.3
197300	3	Troy city	1098	2561	42.9

November 5, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Mary Redden, Office Coordinator

SUBJECT: 2002 Annual Membership Dues to the
National League of Cities (NLC)

RECOMMENDATION:

The membership invoice from the NLC, in the amount of \$5,292.00, is approved for payment. Funds are available in Council's *Membership & Dues* account.

BACKGROUND:

Our membership dues are predicated upon Troy's population. NLC currently uses Census 2000 data.

Included in the City's dues is an annual subscription to *Nation's Cities Weekly* newspaper. Membership in NLC gives Troy a legislative voice in Washington, and the opportunity to tap the experience of municipal leaders nationwide.

If you would like to become more involved with NLC or learn more about it, the web site address is www.nlc.org.

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager-Finance and Administration

RE: City of Troy Investment Policy & Establishment of Investment Accounts

DATE: November 1, 2001

The current Investment Policy was initially approved in November, 1999 and again in 2000 with the stipulation that it be reviewed and approved annually by City Council.

The current policy has served us well during the past year and is in compliance with Act 20 PA 1943, as amended, therefore I'm not requesting any changes at this time and recommend that the City Council approve the City of Troy Investment Policy for another year.

I would also like to update our resolution authorizing the establishment of investment accounts at the following institutions: Bank One, Citizens Bank, Comerica Bank, Fifth Third Bank, Flagstar Bank, Huntington National Bank, Merrill Lynch, Michigan Class-MBIA, Midwest Guaranty Bank, National City Bank, Republic Bank, Salomon Smith Barney and Standard Federal Bank

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CITY OF TROY INVESTMENT POLICY
To Comply with Act 20 PA 1943, as amended

Purpose: It is the policy of the City of Troy to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the City and comply with all State statutes governing the investment of public funds.

Scope: This investment policy applies to all financial assets of the City. These assets are accounted for in the various funds of the City and include the general fund, special revenue funds, debt service funds, and capital project funds (unless bond ordinances and resolutions are more restrictive), enterprise funds, internal service funds, trust and agency funds, and any new fund established by the City.

Objectives: The primary objectives, in priority order, of the City's investment activities shall be:

Safety – Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

Diversification – The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity – The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment – The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority to Make Investments: Authority to manage the investment program is derived from the following: City of Troy City Council's most current resolution establishing investment accounts (2000-502). Management responsibility for the investment program is hereby delegated to the City of Troy Assistant City Manager/Finance and Administration who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to safekeeping, cash purchase or delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service

contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Assistant City Manager/Finance and Administration. The Assistant City Manager/Finance and Administration shall be responsible for all transactions undertaken and shall establish a system of controls. The Investment Policy shall be reviewed and approved by the City Council annually.

List of Authorized Investments: The Assistant City Manager/Finance and Administration is limited to investments authorized by Act 20 of 1943, as amended, and may invest in the following:

- (a) Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
- (b) Certificates of deposit, savings accounts, deposit accounts, or depository of a financial institution. Authorized depositories shall be designated by the City of Troy City Council.
- (c) Commercial paper rated at the time of purchase within the two highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.
- (d) Repurchase agreements consisting of instruments listed in (a).
- (e) Bankers' acceptances of United States banks.
- (f) Obligations of this state or any of its political subdivisions that at the time of purchase are rated investment grade by not less than one standard rating service.
- (g) Investment pools through an interlocal agreement under the urban cooperation act of 1967, 1987 (Ex Sess) PA 7, MCL 124.501 to 124.512
- (h) Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.
- (i) The investment pools organized under the local government investment pool act, 1986 PA 121, MCL 129.141 to 129.150.

Safekeeping and Custody: All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Assistant City Manager/Finance and Administration may be on a cash basis or a delivery vs. payment basis as determined by the Assistant City Manager/Finance and Administration. Securities may be held by a third party custodian designated by the Assistant City Manager/Finance and Administration and evidenced by safekeeping receipts as determined by the Assistant City Manager/Finance and Administration.

Prudence: Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment,

considering the probable safety of their capital as well as the probable income to be derived.

G:\My Documents\JOHN L\2001\Investment Policy.doc

Date: November 12, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
William R. Need, Public Works Director

Re: Safe Drinking Water Act Mandated Fee

RECOMMENDATION

The Public Works Department is requesting authorization to pay the State of Michigan, Department of Environmental Quality, \$10,501.51, for the annual fee as mandated under Public Act 399 of 1976 as Amended, otherwise known as the Safe Drinking Water Act.

BACKGROUND INFORMATION

The State of Michigan Department of Environmental Quality acts as the Federal Government's agent in the enforcement of drinking water regulations.

The MDEQ is empowered to inspect all or any part of a water distribution system to ensure that the water provided to the public via any public water system is safe for consumption. The department also examines and licenses individuals that are responsible for operating public water distribution systems.

For these services, MDEQ extracts a fee from the local units based on the number of customers the system provides services for.

Attached is an excerpt of the Act, which describes the annual fee and how it is calculated. Staff is requesting permission to pay this invoice each year, since it is unlikely that the fee will drop below \$10,000.00 in future years.

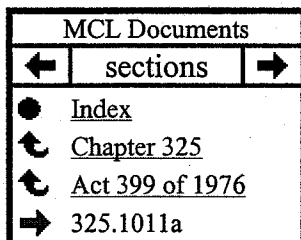
BUDGET

Funds for this expenditure are available in the Water Division account number 548.7801.010.



[Go to the first Full Text hit...](#)

SAFE DRINKING WATER ACT (EXCERPT)



Act 399 of 1976

325.1011a Community supply provider; annual fees; schedule; adjustment; payment; failure to submit timely payment; penalty; collection. [M.S.A. 14.427(11a)]

Sec. 11a. (1) The department shall impose an annual fee on each community supply provider in accordance with the following fee schedule:

Number of Residents Served	Annual Fee
More than 500,000	\$83,800.00
100,001-500,000	\$17,400.00
50,001-100,000	\$11,000.00
25,001-50,000	\$ 6,500.00
10,001-25,000	\$ 3,500.00
5,001-10,000	\$ 1,900.00
1,001-5,000	\$ 800.00
401-1,000	\$ 500.00
101-400	\$ 400.00
25-100	\$ 250.00

(2) The annual fee in this section shall be adjusted on October 1 each year following the effective date of this section by applying a percentage adjustment using the Detroit consumer price index. The fee may also be adjusted as the result of increased federal funding or a reduction in actual costs, as determined by the department.

(3) Each community supply provider shall pay the annual fee by November 30 each year. Failure to submit timely payment will result in assessment of a penalty of 9% per annum until the fee and assessment are paid in full. The department of treasury shall collect each penalty.

History: Add. 1993, Act 165, Imd. Eff. Sept. 16, 1993 .

[Top of Page](#)

November 12, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary Shripka, Asst. City Manager/Services
Douglas J. Smith, Real Estate and Development Director
Dennis C. Stephens, Right of Way Representative

SUBJECT: Execution of Documents Pursuant to Agreement between City of
Troy and Walsh College for Property

On November 16, 1998, a Resolution (#98-527) approving an agreement between Walsh College and the City of Troy regarding the construction of a drive from the college to Wattles Road was passed. Completion of drain work for the Livernois Road Project was required before property could be conveyed. This work has now been completed.

Walsh College is now ready to proceed with their expansion project and in order to fulfill the terms of the agreement, it is necessary for the City to now deed a 120 foot wide strip of land to the college.

Authorization by City Council is requested to proceed with executing the terms of the signed agreement.

cc: Lori Grigg Bluhm, City Attorney
Tonni Bartholomew, City Clerk

ITEMS TAKEN OUT OF ORDER

Due to the large number of items removed from the Consent Agenda, Items were taken out of Order to accommodate the Residents waiting to address specific items.

Alarm Contract Addition - Fire Alarm for the Library**E-3**

Resolution #98-526
Moved by Pallotta
Seconded by Allemon

WHEREAS, a five year contract, with an option to renew for an additional two years, to provide all material, labor, tools and equipment for alarm monitoring, maintenance, and installation for various City buildings and departments was awarded to the low bidder, Vigilante Security, Inc. on July 25, 1994 (Resolution #94-624), at an estimated total cost of \$19,380.60 plus \$45 for special call-out, and amended to add the Sylvan Glen Pro Shop alarm services in 1995 (Resolution #95-1026); and

WHEREAS, a proposal has been received from Vigilante to add the fire alarm system to the current Library alarm system; and

WHEREAS, it is the determination of the City Manager and City Council of the City of Troy that no benefit would result to the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, that Resolution #94-624 is hereby amended to add fire alarm services at the Troy Public Library at an initial estimated cost of \$310.00 which includes an on-going monthly service charge of \$15, and a provision is hereby approved for additional parts and labor for the fire alarm panel if found necessary.

Yes: All-6
Absent: Schilling

Approval of Agreement with Walsh College Regarding Construction of a Drive from the College onto Wattles Road**E-16**

Resolution #98-527
Moved by Pallotta
Seconded by Thompson

RESOLVED, that an agreement between the City of Troy and Walsh College regarding construction of a driveway from the college property onto Wattles Road is hereby approved, the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original minutes of this meeting.

Yes: Allemon, Pallotta, Pryor, Stine, Thompson
No: Stevens
Absent: Schilling

AGREEMENT

Walsh College of Accountancy & Business Administration ("College"), whose address is 3838 Livernois, Troy, Michigan, and the City of Troy ("City"), whose address is 500 West Big Beaver Road, Troy, Michigan, make and enter into the following agreement.

RECITALS

Case # 98-527
11-16-98

The College plans to expand its current campus and has purchased land from the Zion Evangelistic Temple ("Zion") to the south, which adds approximately 11.20 acres of land to its original site of 19.20 acres. The College also plans to construct a road to allow traffic access from its parking lot to East Wattles Road. The City has been working with the Drain Commissioner of Oakland County ("Drain Commissioner") for the construction of the McCulloch Storm Detention Basin ("New Basin") and other drain improvements in Section 22 of the City of Troy and as part of this project the Drain Commissioner has purchased the parcels indicated as "City of Troy" on Exhibit A. The New Basin will be constructed on the parcels indicated as City of Troy on Exhibit A. Future City plans may include installation of a public road that will run from Livernois Road to East Wattles Road and which will run along the west edge of the New Basin. Therefore, the parties agree to the following obligations:

The College's obligations are as follows:

1. To maintain the current College and Zion detention requirements until no longer needed, as determined by the City Engineer.
2. To petition for rezoning of its newly acquired property from Zion to C-F (Community Facility) prior to or simultaneously with execution of this Agreement.

3. To convey by warranty deed to the City for \$1.00 title to the area depicted as Parcel "A1" on Exhibit A1 prior to or simultaneously with execution of this agreement.
4. To convey to the City for \$1.00 a permanent easement for public purposes over the west 150 feet of the parcel acquired from Zion depicted as Parcel "A2" on Exhibit A prior to or simultaneously with execution of this agreement.
5. To construct a road to City specifications at a location approved by the City over the 120 foot parcel east of the current College site ("Road Parcel") depicted as Parcel B on Exhibit A. The College shall permit the Drain Commissioner to use the Road Parcel as access to the New Basin for routine inspection and maintenance. The College shall be responsible for the construction and maintenance of the Road Parcel and shall hold the City harmless from any liability until such time as the Road Parcel is used as a public road. The Road Parcel shall be used as a public road when so determined by the City.
6. To construct, renovate, or expand any existing buildings, in full compliance with the City's codes and ordinances in effect at the time of renovation or construction.
7. To allow the Drain Commissioner at no cost to locate an agreed amount of clean fill material excavated in conjunction with the construction of the New Basin on College property, provided the final grade and elevations are approved by the College and the City.
8. To maintain the New Basin west perimeter landscaping adjacent to College property except for that portion designated as wetlands by the Michigan Department of Environmental Quality.

WITNESS:

Susan Karos

Susan Kinkela

Jamie Walsh

Anne Boyle

WALSH COLLEGE OF ACCOUNTANCY

By: Steven R Drexel
Steven R. Drexel

Its: Vice President, Chief Financial Officer
and Treasurer

By: Michael T. Wood
Michael T. Wood

Its: Interim President

The foregoing instrument was acknowledged before me this 30th day of
October, 1998 by Steven R. Drexel and Michael T. Wood, the
Vice President,
Chief Financial Officer and the Interim President of Walsh College of
Accountancy on behalf of the college.

Victoria Scavone

Notary Public, Macomb County, MI

My commission expires July 30, 1999

CITY OF TROY

Esther Corbin

By: Jeanne M. Stine
Jeanne M. Stine

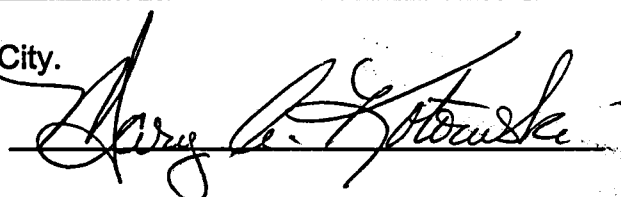
Its Mayor

Cecilia A. Gukwinski

By: Tamara A. Renshaw
Tamara Renshaw

Its: City Clerk

The foregoing instrument was acknowledged before me this 5th day of February, 1998⁹ by Jeanne M. Stine and Tamara Renshaw, the Mayor and the City Clerk of the City of Troy, on behalf of the City.


Notary Public, _____ County, MI

My commission expires _____

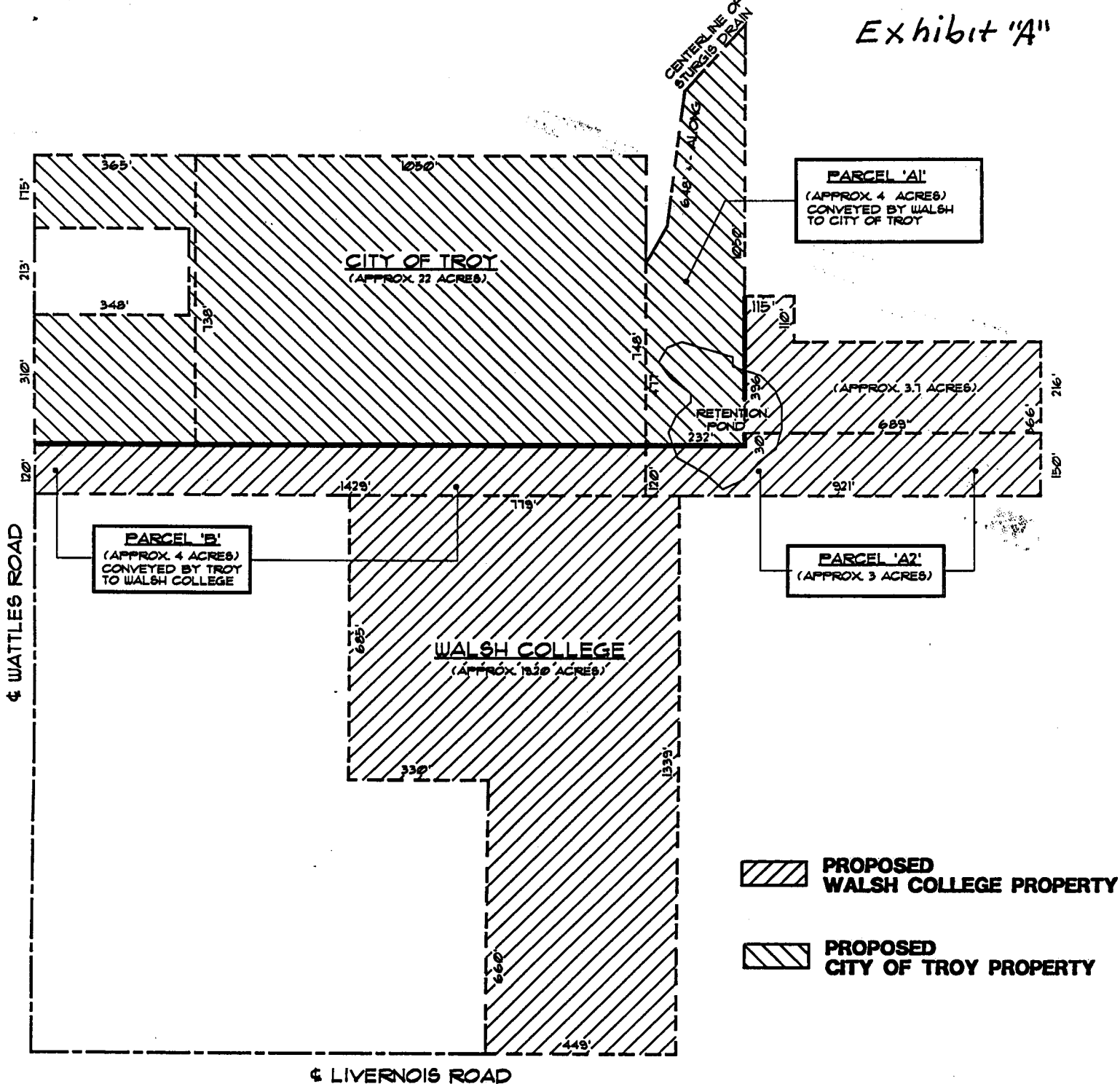
MARY A. KOTOWSKI
Notary Public, Macomb County, MI
My Commission Expires Dec. 8, 2002

Drafted by: John J. Martin, III

City of Troy

500 West Big Beaver

Troy, MI 48084



WALSH COLLEGE - SITE DEVELOPMENT STUDY
PROPOSED PARCEL OWNERSHIP PLAN



PLATZ DESIGN GROUP, INC.
SEPTEMBER 22, 1998
WALSH-N02.DWG

FILE 14396

Chapter 39 - Zoning Ordinance

18.25.00

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the Plan Commission.

18.25.01

Colleges, Universities, and other institutions of higher learning, both public and private, offering courses in general, technical or religious education, and established as non-profit corporations in accordance with State law, all subject to the following conditions:

- (A) Any use permitted herein shall be developed only on sites at least forty (40) acres in area, with the following exception: Establishments permitted herein which will not include outdoor activities including but not limited to, athletic facilities, may be developed on sites of less than 40 acres. Sites for such establishments shall have a minimum area at least equal to two acres for each one hundred people permitted within the capacity of the proposed establishment or fifteen (15) acres, whichever is greater.
- (B) All ingress to an egress from said site shall be directly on to a major thoroughfare having an existing or planned right-of-way (in accordance with the Master Thoroughfare Plan) of at least one hundred twenty (120) feet of width.
- (C) Sites established after January 1, 1977, shall meet at least one of the following locational criteria:
 - 1. Location at the intersection of two major thoroughfares.
 - 2. Location abutting a freeway right-of-way.
 - 3. The site shall have at least one property line, apart from its thoroughfare frontage, in common with land which is developed, zoned, or otherwise committed for use other than the construction of one-family residential dwellings.
- (D) No building shall be closer than eighty (80) feet to any property line.
- (E) Off-street parking areas shall be located at least fifty (50) feet from any residential property line. Parking area screening walls, as required by Section 39.10.00 Article XXXIX "Environmental Provision", may be placed at locations other than on the property lines of the site. As an alternative to such screening walls, the Planning Commission may require earth berms having a minimum height of four and one-half (4 1/2) feet, as measured from the grade of the parking area. The top of the berm shall be landscaped with a minimum of a double row, ten (10) feet apart, of upright coniferous evergreens (pine or spruce species, as acceptable to the Department of Parks and Recreation), five (5) to six (6) feet in height, twenty (20) feet on center, staggered ten (10) feet on center.

(Rev. 5-17-93)

- (F) Buildings, parking and drive areas shall occupy no more than fifty (50) percent of said site area.
- (G) Those buildings to be used for servicing or maintenance, such as heating plants, garages, storage structures and the like, shall not be located on the outer perimeter of the site where abutting property is zoned for residential purposes.

18.25.02 General Hospitals, when the following conditions are met:

- (A) All such hospitals shall be developed only on sites consisting of at least forty (40) acres in area.
- (B) The proposed site shall have at least one property line abutting a major thoroughfare of at least one hundred twenty (120) feet of right-of-way width, existing or proposed (in accordance with the Master Thoroughfare Plan). All vehicular ingress and egress shall be directly from a major thoroughfare.
- (C) The proposed site shall have at least one property line, apart from its thoroughfare frontage, in common with land which is developed, zoned, or otherwise committed for use other than for the construction of one-family residential dwellings.
- (D) The minimum distance of any main or accessory building or structure from any boundary property line or street shall be two hundred (200) feet. Building height in excess of two (2) stories may be permitted. For each story above two (2) stories, the minimum yard distance shall be increased by twenty (20) feet. A minimum depth of one hundred (100) feet of such required yards, adjacent to boundary property lines, shall be kept free of off-street parking.

(Rev. 5-17-93)

- (E) Any required yard abutting residentially developed property or potentially developable residential property, as described in Paragraph (C), shall contain, within the first fifty (50) feet of said yard, a five (5) foot high earth berm. The top of the berm shall be landscaped with a minimum of a double row, ten (10) feet apart, of upright coniferous evergreens (pine or spruce species, as acceptable to the Department of Parks and Recreation), five (5) to six (6) feet in height, twenty (20) feet on center, staggered ten (10) feet on center.

(Rev. 5-17-93)

- (F) Ambulance and delivery areas shall be obscured from all adjacent residential areas view with a wall six (6) feet in height, or with an earth berm five (5) feet in height planted as in Paragraph (E) above. Such walls shall be subject further to the requirements of Article XXXIX "Environmental Provisions".
- (G) Accessory buildings and uses including, but not limited to, the following may be permitted: provided the total floor area of such uses does not exceed that of the main hospital complex. The permitted area for such accessory uses shall not include uses within such buildings which are directly a part of the subject hospital operation, such as hospital administrative offices, and laboratories.

November 12, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/ Services
Jeanette Bennett, Purchasing Director
William Need, Public Works Director

Subject: Standard Purchasing Resolution 1: Award to Low Bidder –
Two V-Bottom Salt Spreaders With Hydraulics

RECOMMENDATION

The Motor Pool Division recommends that City Council award a contract to purchase Two V-bottom salt spreaders with hydraulics to the low bidder, Santoro Inc., at an estimated total cost of \$20,990.00, at unit prices contained in the attached bid tabulation opened 10/25/01.

BUDGET

Funds are available in the Motor Pool Division Capital Account #565.7981

24 Bids Sent
13 Bids Rec'd
4 No Bids

Prepared by: Samuel P. Lamerato, Superintendent of Motor pool

Opening Date -- 10/25/01
Date Prepared -- 11/12/01

CITY OF TROY
BID TABULATION
FURNISH TWO V-BOTTOM SALT SPREADERS

SBP 01-40
Page 1 of 3

VENDOR NAME:		** SANTORO INC	SHULTS	KNAPHEIDE	MONROE
			EQUIPMENT INC	TRUCK EQUIP	TRUCK EQUIPMENT
QTY	DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
2	V-BOTTOM SALT SPREADERS WITH HYDRAULIC SYSTEM IN ACCORDANCE WITH SPECIFICATIONS	\$ 10,495.00	\$ 10,727.00	\$ 10,879.00	\$ 11,706.00
	TOTAL:	** \$ 20,990.00	\$ 21,454.00	\$ 21,758.00	\$ 23,412.00
QUOTING ON:		DOWNEASTER	EV-100-16'-72" SS	FSH-1	MONROE PERFORMER
MANUFACTURED BY:		COASTAL METAL FAB	SWENSON	HENDERSON	MONROE SNOW/ICE
ATTACHMENTS ON ABOVE ITEM (Y-Yes, N-No)		YES	YES	YES	YES
LOCATION:		15232 HARPER DETROIT	ITHACA, MI	FLINT, MI	FLINT, MI
No. of Miles from Troy		18	120	35	52
TERMS:		NET 30 DAYS	NET 30 DAYS	NET 30	NET 30
WARRANTY:		ONE YEAR	ONE YEAR	ONE YEAR	ONE YEAR
DELIVERY DATE:		3-4 WEEKS	45-60 DAYS ARO	60 DAYS	45-60 ARO
EXCEPTIONS:		NONE	LISTED IN BID	LISTED IN BID	ATTACHED TO BID

NO BIDS:
Wolverine Truck Sales
Truck & Trailer Inc
North River Truck & Trailer
Dueco, Inc

** DENOTES LOW BIDDER

ATTEST:
MaryAnn Hays
Samuel Lamerato
Linda Bockstanz

Jeanette Bennett
Purchasing Director

Opening Date -- 10/25/01
Date Prepared -- 11/12/01

CITY OF TROY
BID TABULATION
FURNISH TWO V-BOTTOM SALT SPREADERS

SBP 01-40
Page 2 of 3

VENDOR NAME:		NBC TRUCK	SCHERER TRUCK	MILLER	GTEC
		EQUIPMENT	EQUIPMENT	EQUIPMENT CO	TRUCK EQUIPMENT
QTY	DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
2	V-BOTTOM SALT SPREADERS WITH HYDRAULIC SYSTEM IN ACCORDANCE WITH SPECIFICATIONS	\$ 11,997.00	\$ 14,820.00	\$ 15,000.00	\$ 15,495.00
	TOTAL:	\$ 23,994.00	\$ 29,640.00	\$ 30,000.00	\$ 30,990.00
QUOTING ON:		LMC-5H16S4CT	16' MODEL EV-100SS	MODEL E-2020	BV-16-72
MANUFACTURED BY:		FLINK	SWENSON	HIGHWAY	BONNELL INDUSTRIES
ATTACHMENTS ON ABOVE ITEM (Y-Yes, N-No)		YES	NO	YES	YES
LOCATION:		ROSEVILLE, MI	AUBURN HILLS	GRAND RAPIDS	DEARBORN
No. of Miles from Troy		18	13.8	200	15
TERMS:		NET 30	NET 30	NET 10 DAYS	NET 30
WARRANTY:		BLANK	ONE YEAR	ONE YEAR	ONE YEAR
DELIVERY DATE:		75-90 DAYS ARO	45-60 DAYS	60-75 DAYS	75 DAYS ARO
EXCEPTIONS:		ATTACHED TO BID	LISTED IN BID	BLANK	LISTED IN BID

Opening Date -- 10/25/01
Date Prepared -- 11/12/01

CITY OF TROY
BID TABULATION
FURNISH TWO V-BOTTOM SALT SPREADERS

VENDOR NAME:		AUTO TRUCK			
		SERVICE EQUIP			
QTY	DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
2	V-BOTTOM SALT SPREADERS WITH HYDRAULIC SYSTEM IN ACCORDANCE WITH SPECIFICATIONS	\$ 15,995.00			
	TOTAL:	\$ 31,990.00			
QUOTING ON:		BV-16-72			
MANUFACTURED BY:		BONNELL			
ATTACHMENTS ON ABOVE ITEM (Y-Yes, N-No)		YES			
LOCATION:		LANSING			
No. of Miles from Troy		85			
TERMS:		NET 10 DAYS			
WARRANTY:		ONE YEAR			
DELIVERY DATE:		8-10 WEEKS			
EXCEPTIONS:		BLANK			

AUTO TRUCK SERVICE EQUIPMENT
3414 AURELIUS
LANSING MI 48910

AUTOLINE INC
5110 KERRY DRIVE SW
GEORGIA MI 30331

BOSTICK GMC TRUCK CENTER
1368 JOSLYN
PONTIAC MI 48340

C & S MOTORS INC
113 S DORT HIGHWAY
FLINT MI 48503-2892

C E POLLARD COMPANY
13575 AUBURN STREET
DETROIT MI 48223

CANNON EQUIPMENT
2011 HEIDE
TROY MI 48084-5383

DEALERS TRUCK EQUIPMENT
24453 MOUND RD
WARREN MI 48091

DUECO INC
N4W22610 BLUEMOUND ROAD
WAUKESHA WI 53186

F L JURSIK CO
245 VICTOR AVENUE
HIGHLAND PARK MI 48328

G TEC TRUCK EQUIPMENT
3040 WYOMING AVE
DEARBORN MI 48120

GREGWARE EQUIPMENT CO
5085 ALPINE AVE N W
P O BOX L
GRAND RAPIDS MI 49501

KNAPHEIDE TRUCK EQUIPMENT
4103 HOLIDAY DRIVE
FLINT MI 48507

MILLER EQUIPMENT COMPANY
31020 INDUSTRIAL ROAD
LIVONIA MI 48150

MONROE TRUCK EQUIPMENT
2400 REO DRIVE
FLINT MI 48507

N B C TRUCK EQUIPMENT
28130 GROESBECK
ROSEVILLE MI 48066

NORTH RIVER TRUCK & TRAILER INC
24411 NORTH RIVER ROAD
P O BOX 732
MT CLEMENS MI 48046

SCHERER TRUCK EQUIPMENT INC
2670 AUBURN ROAD
AUBURN HILLS MI 48326

SHULTS EQUIPMENT INC
P O BOX 127
1532 SOUTH STATE ROAD
ITHACA MI 48847

TRI COUNTY INTERNATIONAL TRUCKS INC
5701 WYOMING
P O BOX 430
DEARBORN MI 48121

TRUCK & TRAILER EQUIPMENT
4214 MOUNT HOPE
LANSING MI 48917

TRUCK & TRAILER SPECIALTIES
6726 HANNA LAKE AVENUE SE
DUTTON MI 49316

VIP TRUCK CENTER LLC
11757 GLOBE
LIVONIA MI 48150-1133

WIEGAND MACK SALES & SERVICE TRUCKING
37580 MOUND
P.O. BOX 248
STERLING HGTS MI 48310

WOLVERINE TRUCK SALES, INC.
ATTN: KEN MALKOWSKI
3550 WYOMING
DEARBORN MI 48120-1425

October 24, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request to Authorize Mayor and City Clerk to Sign Easement
To Detroit Edison on City Owned Parcel
Sidwell #88-20-22-358-016

In conjunction with Big Beaver Road improvements, Detroit Edison has requested that the City of Troy grant them a Permanent Underground Easement for street lighting. The easement location has been approved by our Engineering Department and is part of a vacant City owned parcel on the north side of Big Beaver Road between Frankton and Helena.

Therefore, we recommend that City Council approve the attached easement from the City of Troy to Detroit Edison and authorize the Mayor and City Clerk to sign the easement.

cc: Steve Vandette, City Engineer

Detroit Edison Underground Easement (Right of Way) No. 368058

On _____, 2001, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

CITY OF TROY, 500 W. Big Beaver, Troy, MI 48084

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in City of Troy, Oakland County, Michigan described as:

SW 1/4, Sec. 22, T2N, R11E - EYSTER'S BEAVER GARDENS, Lot 39, as recorded in Liber 26, Pager 14, of Plats, Oakland County Records. SIDWELL NO. 20-22-358-016

The "Right of Way Area" is a part of Grantor's Land and is described as:

Shown on attached EXHIBIT A. Width of easement is 6 feet.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings or other Permanent Structures:** No buildings or other permanent structures are allowed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in The Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences can be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee will not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee will restore Grantor's Land as nearly as can be to its original condition.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.
8. Exempt under MCL 207.505 (a) and MCL 207.526 (a)

(2) **Witnesses:** (Type or print name in black ink only below signature)

Grantor: (Type or print name in black ink only below signature)

CITY OF TROY

X _____

BY: _____

X _____

ITS: _____

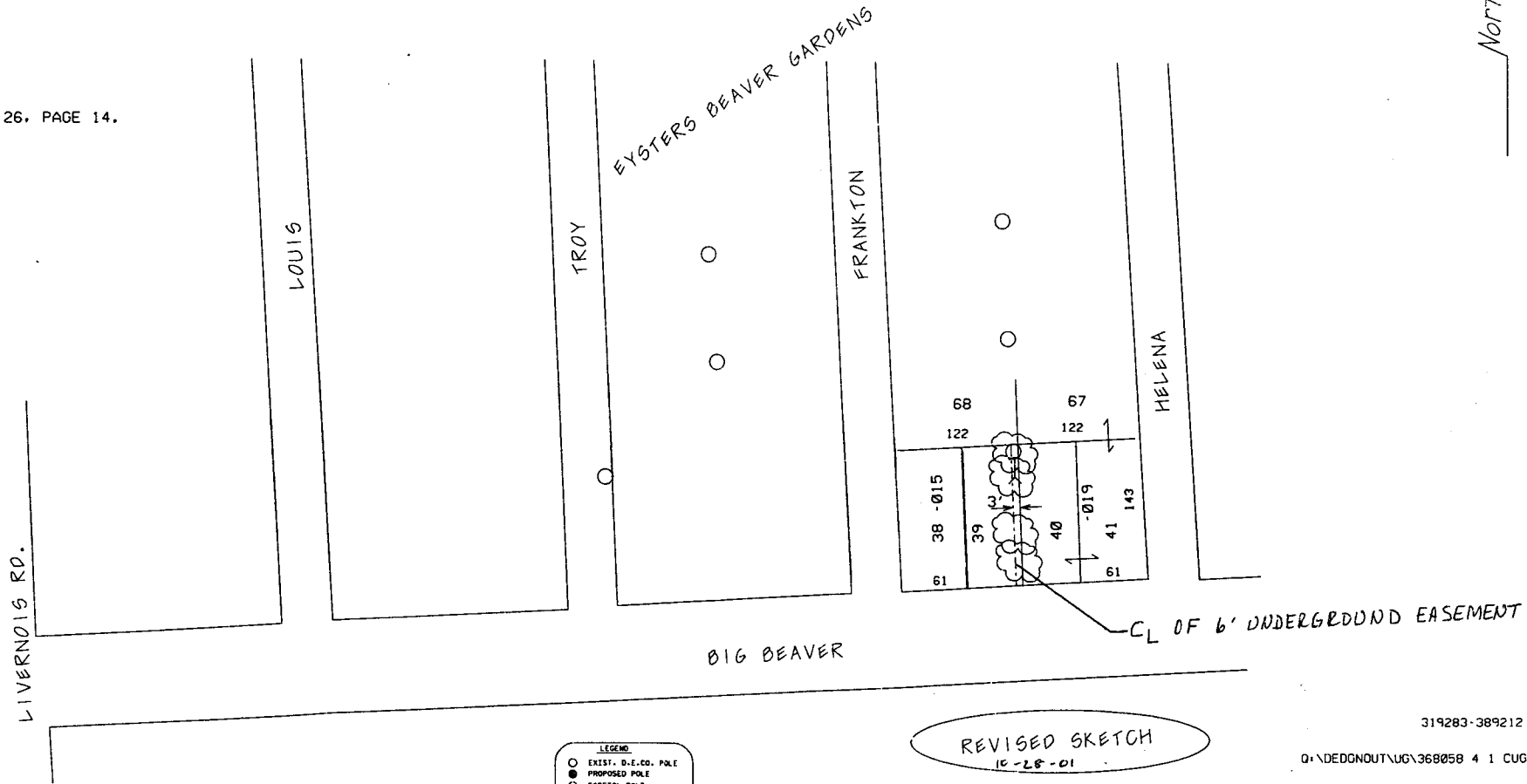
Acknowledged before me in _____ County, Michigan, on _____, 2001,
by _____, the _____ of the CITY OF TROY.

Notary's
Stamp

Notary's
Signature

(Notary's name, county, and date commission expires)

Prepared by and Return to: Marcia Romanski, Detroit Edison, Pontiac Service Center, 1970 Orchard Lake Road, Sylvan Lake, MI. 48320



REVISED SKETCH
16-28-01

LEGEND

- EXIST. D.E.CO. POLE
- PROPOSED POLE
- FOREIGN POLE
- EXIST. ANCHOR
- PROPOSED ANCHOR
- TREE
- 120/240 V LINE
- 4.8KV LINE
- 13.2KV LINE
- 40KV LINE

RFW Description					PD	SRW	PH	PLC	Conj. Group	RFW Number			
BIG BEAVER & FRANKTON, TROY - (REAR)-METERED ST.LTS.						5	0	12	B	368058			
Circuit #1		Circuit #2		Service Center#1		Service Center#2		COH	COS	CUG	CUL	CUT	CUS
DC 9041 APACE A								0	0	18	15	0	0
Worksite City				Worksite Two.				Worksite County					
TROY				TROY (LEGACY)				OAKLAND					
Town	Range	Sect	Qtr	Planner Name		Commit Date		Scale		Plot Date			
1.2N.	R.11E.	22	W1/2	Jones, Robert S				1" = 100'		8/10/2001			

319283-389212

D:\DEDONOUT\UG\368058 4 1 CUG

November 10, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer

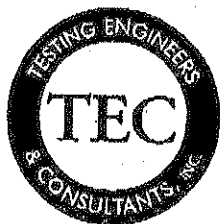
SUBJECT: Continuation of Construction Testing Services
Provided by Testing Engineers and Consultants, Inc.

Quotes were received and a contract awarded on June 19, 2000 (Resolution #2000-283-E-6) to provide construction testing services for 2000 and 2001. The contract was awarded to Testing Engineers and Consultants, Inc. (TEC). This contract expires on December 31, 2001.

Staff is currently working on a request for proposals for these testing services. This request for proposals is expected to be completed early in 2002 and will be presented for consideration at a future City Council meeting.

In the interim, Staff requests that the existing contract with TEC be extended for a period not to exceed three (3) months. TEC has agreed to honor their existing contract for this time period.

Prepared by: William J. Huotari, Deputy City Engineer
G:\Consulting Services\General Consulting Services\2001\Testing\To CC Re Extension of Contract with TEC_R1.doc



Testing Engineers & Consultants, Inc.

1333 Rochester Road • PO Box 249 • Troy, Michigan 48099-0249
(248) 588-6200 or (313) T-E-S-T-I-N-G
Fax (248) 588-6232

November 12, 2001

TEC Proposal: 010-00-0267-1

Mr. William Huotari
City of Troy
500 West Big Beaver Road
Troy, MI 48084

Re: Extension of 2000 Contract

Dear Mr. Huotari:

We are pleased to offer a three-month extension to our 2000-2002 Materials Testing and Inspection Contract with the City of Troy. We understand that at the end of the three months extension the contract will go out for bid again.

All fees and terms and conditions will remain as they appear in the TEC Proposal 010-00-0267 issued May 30, 2000.

We appreciate the opportunity to continue our work with the City of Troy.

Respectfully yours,

TESTING ENGINEERS & CONSULTANTS, INC.

A handwritten signature in dark ink, appearing to read "Ruben E. Ramos", is written over a horizontal line.

Ruben E. Ramos, PE
Vice President
Engineering and Construction Services

RER/da

Copyright 1997 Testing Engineers & Consultants, Inc. All rights reserved.

All services undertaken are subject to the following policy. Reports are submitted for exclusive use of the clients to whom they are addressed. Their significance is subject to the adequacy and representative character of the samples and to the comprehensiveness of the tests, examinations and surveys made. No quotation from reports or use of TEC's name is permitted except as expressly authorized by TEC in writing.

CONSULTING ENGINEERS & FULL-SERVICE PROFESSIONAL TESTING AND INSPECTION
OFFICES IN ANN ARBOR, DETROIT, FLINT/LANSING AND TROY

\\CSGS\PUBLIC\calbusdev\proposals\010\00-20000-0267-1.doc FOUNDED IN 1966

November 13, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer

SUBJECT: Private Agreement for Troy Pines #2 Condominiums
Project No. 01.920.3

The Engineering Department has reviewed plans for this project, which includes water main, storm sewer, detention, sanitary sewer, sidewalks, landscaping, soil erosion and paving.

The Owner has provided a Letter of Credit for escrow and cash fees in the amount of the estimated cost of public improvements, as required.

Approval of the Private Agreement is recommended and is contingent upon final review and approval of engineering plans by the City Engineer.

CC: Tonni Bartholomew, City Clerk (Original Agreement)
James Nash, Financial Services Director
Carol Anderson, Director of Parks and Recreation
Mark Miller, Interim Planning Director
Nino Licari, City Assessor
William Need, Director of Public Works
William Jawlik, Inspector Supervisor
Consolidated Development Corporation
Premium Construction

Prepared by: Gary Streight, PE
Civil Engineer

Enclosed: Private Agreement, Detailed Summary, Sketch, and Suggested Resolution

November 13, 2001

To: John Szerlag, City Manager

From: Steven J. Vandette, City Engineer

Subject: Detailed Summary of Required Escrow Deposits and Cash Fees
For Troy Pines No. 2 Site Condominiums (Project No. 01.920.3)
16 Lots – Section 13

The estimated costs of public improvements are:

ESCROW DEPOSITS:

Sanitary Sewers	\$23,623
Water Mains	23,588
Storm Sewers	50,344
Rear Yard Drains	15,416
Concrete Pavement & Grading	54,000
Detention Basin (incl. Access Drive & Sidewalk)	5,000
Soil Erosion Control Measures	1,770
Monuments and Lot Corner Irons	1,000
Temporary Access Road	3,000
Sidewalks to School Property	1,980
Deposit for Repair of Damage to Existing Public Streets Used for Access	9,600

TOTAL ESCROW DEPOSITS:	<u>\$189,321</u>
-------------------------------	-------------------------

CASH FEES:

Sidewalk Closures:	1,296
Walkway and Split Rail Fence (along Detention Basin Access Drive & Sidewalk to School Property)	4,180
Water Main Testing and Chlorination	650
Street Name and Traffic Signs	434
Street Island Improvements	643
Landscaping and Screen Planting of Detention Basin:	4,417
Maintenance of Detention Basin	5,016
Topsoil, Fertilizer, Seed and Mulch, John R Right of Way	350
Soil Erosion and Sedimentation Control Permits	*
* Included in Act 451 Permit fee of \$622.50	
Testing Services	2,654
Engineering Review and Inspection Fees	10,621
Gibson Drain Maintenance & Restoration	1,500

Deposit for the Maintenance and Cleaning of Existing Public Streets used for Access	3,200
	<hr/>

<u>TOTAL CASH FEES:</u>	<u>\$34,961</u>
--------------------------------	------------------------

Stormwater detention for this development will be provided by a new
detention basin within the development

cc: Gary A. Shripka, Assistant City Manager/Services
John Lamerato, Assistant City Manager/Finance and Administration
Tonni Bartholomew, City Clerk
Carol Anderson, Director of Parks and Recreation
Laurence Keisling, Planning Director
Nino Licari, City Assessor
William Need, Director of Public Works
James Nash, Financial Services Director
William Jawlik, Inspector Supervisor
Engineer: Consolidated Development Corp.
Developer: Premium Construction

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 01.920.3PROJECT LOCATION: NW ¼ SECTION 13

RESOLUTION NO. _____

DATE OF COUNCIL APPROVAL: _____

KNOW ALL MEN BY THESE PRESENT; That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Premium Construction whose address is 1052 Oaktree, Bloomfield Hills, MI 48304 and whose telephone number is (248)852-0156 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of water main, storm sewer, detention, sanitary sewer, sidewalks, soil erosion, landscaping and paving in accordance with plans prepared by Consolidated Development Corp. whose address is 1050 Webster, Birmingham, MI 48009 and whose telephone number is (248)425-7787 and approved prior to construction by the City Specifications of the City shall be complied with for this construction.

SECOND: That the Owners agree to contribute the approximate contract price of **\$189,321.00**. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

Cash☐Certificate of Deposit☐Irrevocable Bank Letter of Credit☒Check☐

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the contractor by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. In addition, the owners agree to contribute **\$34,961.00** cash fee per the attached **Detailed Summary of Required Escrow Deposits and Cash Fees.**

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 01.920.3

PROJECT LOCATION: NW ¼ SECTION 13

COUNCIL RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

THIRD: The owners may contract for construction of said improvement or may have the City advertise for bids. In the event the Owners select their own contractor, such contractor shall be subject to prior written approval by the City and completed contract documents shall be submitted to the City.

Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

FOURTH: Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$224,282.00 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

FIFTH: Owners agree that if, for any reason, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and City will disburse such additional amount in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sum deposited with City in accordance with Paragraph SECOND hereof, City will reimburse to the Owners the excess funds remaining after disbursement of funds.

SIXTH: Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements for such public utilities as required by the City Engineer.

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS
(PRIVATE AGREEMENT)**

PROJECT NO. 01.920.3PROJECT LOCATION: NW 1/4 SECTION 13

COUNCIL RESOLUTION NO. _____

DATE OF COUNCIL APPROVAL: _____

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 13 day of _____, 2001.

OWNERS

By:

CITY OF TROY

By:

Nipun Gupta
Please Print or Type

Matt Pryor, Mayor

Nipun Gupta
Please Print or Type

Tonni Bartholomew, City Clerk

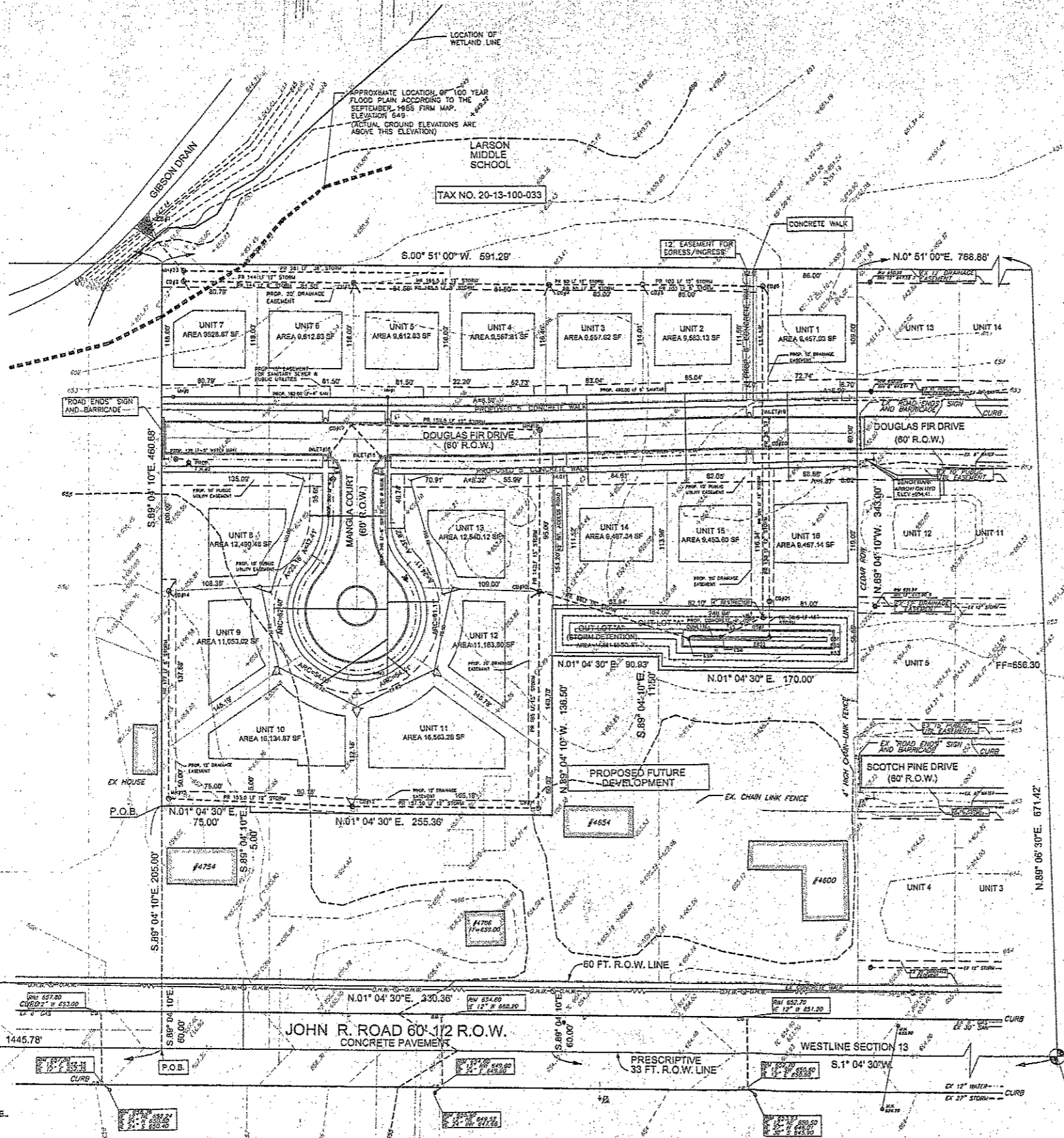
STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 13th day of November, A.D. 2001, before me personally appeared NIPUN GUPTA known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

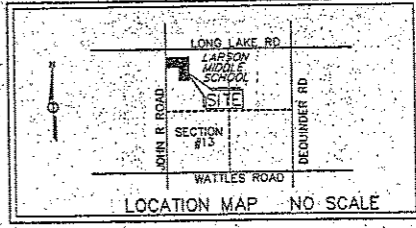
Laurel Nottage
LAUREL NOTTAGE

NOTARY PUBLIC, Oakland County Michigan

My commission expires: 10-12-04



AVERAGE SIZE PER LOT	
UNIT 1	9,557.03 SF
UNIT 2	9,557.13 SF
UNIT 3	9,557.02 SF
UNIT 4	9,557.01 SF
UNIT 5	9,557.01 SF
UNIT 6	9,557.01 SF
UNIT 7	9,557.01 SF
UNIT 8	9,557.01 SF
UNIT 9	9,557.01 SF
UNIT 10	9,557.01 SF
UNIT 11	9,557.01 SF
UNIT 12	9,557.01 SF
UNIT 13	9,557.01 SF
UNIT 14	9,557.01 SF
TOTAL	133,800.00 SF
AVERAGE SIZE PER LOT	9,550.00 SF



ZONING: R1-C
LEGAL DESCRIPTION:
A PART OF THE NORTHWEST 1/4 OF SECTION 13, T-2-N, R-11-E, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE S 01° 04' 30" W, 1445.78 FEET ALONG THE WEST LINE OF SAID SECTION 13 (JOHN R ROAD); THENCE S 89° 04' 10" E, 400.00 FEET; THENCE S 01° 04' 30" W, 170.00 FEET TO A POINT ON THE NORTH LINE AND ITS EXTENSION THEREOF OF 170.00 FEET; THENCE S 89° 04' 10" E, 113.50 FEET; THENCE N 01° 04' 30" E, 90.00 FEET; THENCE N 89° 04' 10" W, 136.50 FEET; THENCE N 01° 04' 30" E, 170.00 FEET; THENCE S 89° 04' 10" E, 113.50 FEET; THENCE N 01° 04' 30" E, 90.00 FEET; THENCE N 89° 04' 10" W, 136.50 FEET; THENCE N 01° 04' 30" E, 170.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.5556 ACRES MORE OR LESS. SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY RECORDED OR OTHERWISE.

LEGEND	
DESCRIPTION	EXISTING PROPOSED
SANITARY/SEWER	EXISTING
SANITARY/STORM	EXISTING
WATER LINE	EXISTING
UTILITY POLE/POWER LINE	EXISTING
UTILITY POLE W/GUY WIRE	EXISTING
GAS LINE	EXISTING
CONCRETE PAVEMENT	EXISTING
GUARDRAIL	EXISTING
FENCE	EXISTING
FABRIC FILTER FENCE	EXISTING
LOT IDENTIFICATION NO.	LOT 178
PARCEL IDENTIFICATION NO.	11-30-277-078
FIRST FLOOR ELEVATION	FF=857.7
CENTERLINE OF PAVEMENT	EXISTING
SPOT ELEVATION	EXISTING
CONTOUR LINE	EXISTING
TOP OF STAIRS ELEV.	857.75
BOTTOM OF STAIRS ELEV.	857.75
TOP OF CURB ELEVATION	857.75
EASEMENT	EXISTING
SURFACE DRAINAGE FLOW	EXISTING

UTILITY	SOURCE
ELECTRICITY	DETROIT EDISON COMPANY PHONE: 237-800
TELEPHONE	AMERICAN PHONE: 372-8703
GAS	CONSUMERS ENERGY PHONE: 585-8900

BENCH MARK-U.S.G.S. DATUM	TOPO NOTES
BM#1 ARROW ON HYDRANT FRONT OF ST. ANASTASIA CHURCH ELEVATION=259.30	THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE DERIVED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS OR EXACTNESS OF LOCATION.

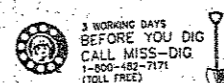
SETBACK REQUIREMENTS	
USE DISTRICT	MINIMUM LOT WIDTH
RI-C	76.5'
	FRONT
	LEAST ONE
	TOTAL OF TWO
	REAR

SITE DATA	
MINIMUM LOT WIDTH: 76.50'	
MINIMUM LOT AREA: 9459 SQ. FT.	
PROPOSED USE: SINGLE FAMILY DWELLING	

TERMS AND CONDITIONS FOR ELECTRONIC DATA:
This document is provided in electronic format for the referenced project. It is understood and agreed that any use or reuse of original or altered files will be at the user's own risk and legal responsibility. It is also agreed that the electronic files provided by Consolidated Development Corporation (CDC) are being provided for general information purposes only. Neither the electronic files nor any CAD versions are to be relied on for construction layout purposes. The user expressly indemnifies and holds CDC harmless for any and all claims, suits, liability, demands or other costs arising out of or resulting from the use of the electronic files.

BOUNDARY SURVEY
BOUNDARY SURVEY BY:
OFFICE: WESTER ENGINEERS, INC.
1001 SOUTH STREET

SITE PLAN



Consolidated Development Corporation
CIVIL ENGINEERS

1050 Webster
Birmingham MI 48009

Telephone: (248) 425-7787
Facsimile: (248) 708-1266

DEVELOPER:
PREMIUM CONSTRUCTION
1052 OAKTREE
BLOOMFIELD HILLS, MICHIGAN 48304
TELEPHONE: 248-852-0156
FACSIMILE: 248-852-7233

SHEET TITLE:
SITE PLAN
PROJECT TITLE:
PROPOSED NEW RESIDENTIAL DEVELOPMENT,
TROY PINES NO. 2 SITE CONDOMINIUM
JOHN R STREET-CITY OF TROY
OAKLAND COUNTY, MICHIGAN

PROJECT NO.:
010511
DRAWN: JAD
CHECKED: JAD
APPROVED: JAD

ISSUED FOR	DATE
SITE PLAN	08-04-01
REV. E1	08-10-01
REV. E2	09-07-01
REV. E3	10-01-01
REV. E4	10-29-01
REV. E5	10-01-01
REV. E6	11-09-01
REV. E7	11-01-01

SCALE: 1"=50'
SHEET NO.:

November 13, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Approval to Pay Residential Relocation Claim
John & Tracy Pavone (TCBP, LLC)
Section 36 Parkland – Project No. 95.201.5
Sidwell #88-20-36-100-035

On June 4, 2001 City Council approved the full acquisition of the property at 2380 East Maple Road in Resolution #2001-06-294 from John Pavone and Mukesh Mangula, dba Matthew's Farms, L.L.C. for the proposed Section 36 Parkland. The City will be receiving possession of this property on or before December 5, 2001. The residential tenants, John and Tracy Pavone are in the process of moving to a replacement property in Flint, Michigan.

In accordance with Federal Guidelines and past practice in displacing a family from their home for a City project, the Pavones have filed a Residential Relocation Claim and are eligible to be reimbursed for moving costs totaling \$1,589.75. They have supplied the needed documentation to justify the payment. The funds will come from the bond money for open space and parkland.

It is requested that City Council approve this payment.

Att.

RELOCATION CLAIM RESIDENTIAL

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

MDOT A679 (12/95)

CLAIMANT'S NAME:

TCBP, LLC

MAILING ADDRESS:

ACQUIRED PROPERTY
ADDRESS AND
PHONE:

2380 E. MAPLE ROAD
TROY, MI

REPLACEMENT PROPERTY
ADDRESS AND
PHONE:

1106 BLANCHARD
FLINT, MI 48503
(810) 813-0533

CONTROLLING DATES

Date occupied City acquired property:

Date of first written offer:

6-11-01

Date of move:

Date of final payment:

Date of estimated just compensation deposit:

MUST OCCUPY REPLACEMENT PROPERTY BY —

If Tenant, 12 months after date of move.

Date:

If Secured Owner, 12 months after date of final payment.

Date:

If Unsecured Owner, 12 months after date of estimated just compensation deposit.

Date:

MUST FILE CLAIM FOR PAYMENT BY —

If Tenant, 18 months after date of move.

Date:

If Owner, 18 months after date of move or final payment, whichever is later.

Date:

Listed below are relocation payments claimed in accordance with Act 31, PA 1970 as amended. For further information, please refer to the booklet "Your Rights and Benefits When Displaced From a City of Troy Project".

Replacement Housing Supplement

Incidental Closing Costs

Increased Interest Differential

Replacement Rental Supplement (Installment #)

Purchase Down Payment

Moving - Fixed or Actual

AMOUNT DUE:

\$ 1589.75

We agree payment will be sent to:

1106 BLANCHARD, FLINT, MI 48503

We Certify that:

1. All information submitted is true and correct.
2. I/We have purchased and occupied, or will purchase and occupy, a replacement dwelling which is decent, safe, and sanitary within the standards prescribed by the Michigan Department of Transportation and the City of Troy.
3. I/We have vacated or will vacate the state acquired property.
4. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
5. I/We agree if the amount of compensation deposited is increased in an administrative settlement or condemnation action, the replacement housing supplement shall be recalculated based upon the increased compensation award, and any overpayment in the housing supplement shall be deducted by the Department from the final payment.

Claimant's Signature

Date

Claimant's Signature

Date

I Certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the Michigan Department of Transportation and the City of Troy.

RECOMMENDED BY:

Patricia A. Petitto

DATE:

11-12-01

APPROVED BY:

DATE:

Remarks:

CONTROL SECTION

88-20-36-100-035

PARCEL

SECTION 36 PARKLAND

NAME

PAVONE

JOB NUMBER

95.201.5

FED ITEM NUMBER

FED PROJ NUMBER



November 13, 2001

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: JOHN SZERLAG, CITY MANAGER
WILLIAM NELSON, FIRE CHIEF
JOHN ABRAHAM, TRAFFIC ENGINEER
LORI GRIGG BLUHM, CITY ATTORNEY

RE: OPTICOM AGREEMENT WITH ROAD COMMISSION

Attached please find a proposed agreement between the City of Troy and the Road Commission for Oakland County. This agreement covers the installation, operation and maintenance of the OPTICOM system. As you may recall, the OPTICOM system permits emergency vehicle operators to preempt the normal sequence of the traffic signals by remote control. The City of Troy fire trucks have been equipped with this remote control, which allows faster response time.

The City of Troy and the Road Commission of Oakland County first entered into a contract for the maintenance and installation of the OPTICOM system in 1981. This contractual arrangement was necessary, since the OPTICOM units are connected to the traffic signal units, which the Road Commission maintains. It was discovered during the Kerrie Wolfe v. City of Troy case that this initial contract had expired, and a new one was necessary. After some negotiation with the Road Commission, the contract was modified to narrow the liability of the City of Troy. The contract also covers all intersections added since 1981.

It is our recommendation that City Council approve the attached agreement. If you have any questions concerning the above, please let us know.

AGREEMENT
EMERGENCY VEHICLE – TRAFFIC SIGNAL PREEMPTION
RCOC – CITY OF TROY

This agreement, dated the _____ day of _____, 2001 by and between the Road Commission for Oakland County (hereinafter "RCOC"), a Michigan statutory public body corporate with administrative offices at 31001 Lahser Road, Beverly Hills, MI 48025 and the City of Troy, a municipal corporation (hereinafter "City") with offices at 500 West Big Beaver Road, Troy, MI 48084, provides as follows.

WHEREAS the RCOC is a county road commission with jurisdiction and control over county roads within the limits of the City; and

WHEREAS as part of its functions regarding said roads, RCOC installs and maintains traffic signals at intersections of county roads, county roads and city streets and at intersections of city streets; and

WHEREAS the City and the RCOC enter into, or have entered into separate agreements for each intersection, as appropriate regarding cost allocations for installation and maintenance; and

WHEREAS Section 603 of the Michigan Vehicle Code, 1949 PA 300, compiled as MCL 257.603 provides authorized emergency vehicles may have the right of way over red traffic signals when utilizing due care; and

WHEREAS the Michigan Manual of Uniform Traffic Control Devices, provides that traffic control signals may be modified to grant priority control to authorized special classes of vehicles, such as emergency vehicles; and

WHEREAS on April 6, 1981 the parties entered in an agreement regarding the installation, operation and maintenance of a system which permits emergency vehicle operators to preempt the normal sequence of traffic signals by remote control (OPTICOM) hereinafter referred to as the "System", in certain intersections in the City; and

WHEREAS the parties intend to update the prior agreement and provide additional coverage encompassing all new and modernized intersections in the City.

NOW, THEREFORE, the parties agree as follows:

1. The System

The RCOC will install the System at all new signalized intersections it installs within the City, and will install the System on any signal it modernizes within the City. RCOC will maintain the System at the intersections the System has been previously installed, and at intersections where the system is to be installed subject to the provisions of this Agreement.

2. State Trunklines

Installation of the System on a signal at a location under the jurisdiction of the Michigan Department of Transportation (MDOT) requires prior authorization by MDOT.

3. Costs

A. The City shall be responsible for all costs borne by the RCOC regarding the System, including but not limited to the costs of installation and the cost of maintenance including costs of materials and OPTICOM replacement parts.

B. Costs for installation and maintenance of traffic signals and the cost of labor and RCOC equipment for OPTICOM repairs shall be allocated between the parties in accordance with Traffic Control Device Agreements in place or to be entered into between the jurisdictional parties respective to each intersection.

4. City Responsibility

A. The City shall be responsible for installation and maintenance on vehicles of the devices which activate the system and shall place the devices only on vehicles used for emergency purposes designated as set forth in subsection C.

B. The City shall notify the RCOC immediately if the System equipment fails to operate properly.

C. The City may designate city emergency fire vehicles and city owned emergency ambulances for installation of devices which activate the system.

Should the City wish to designate additional classes of emergency vehicles for utilization of the system it must obtain the prior written consent of the RCOC.

It is understood that city owned ambulances serving the City 911 service may test the system at appropriate times at night without activating the signal.

5. Conformance to Motor Vehicle Code

The City confirms that it will require compliance by operators of City emergency vehicles with the duty to drive with due regard for the safety of others, exercising reasonable care in the operation of City emergency vehicles, and the performance of all duties imposed upon operators of motor vehicles upon the public streets or highways. Operators of City Emergency vehicles shall be required by the City to comply with the requirements of the Michigan Vehicle Code, being Act 300 of the Public Acts of 1949, and specifically sections 632 and 653 of said Act, in the operation of any City fire vehicles upon the public streets or highway.

Further, the City shall hold the RCOC, its officers and employees and MDOT as appropriate, harmless, defend and indemnify them from all claims, demands or suits arising out of its drivers' alleged breach of the above duties, in accordance with the provisions set forth in paragraph 7.

6. Compliance with the Michigan Manual of Uniform Traffic Control Devices

The use and operation of the System shall be governed and subject to the requirements of the Michigan Manual of Uniform Traffic Control Devices and specifically section 4B-22.

7. Indemnification, Insurance

The City hereby agrees to indemnify, defend and save harmless the RCOC, its officers and employees and MDOT from any and all claims, demands or suits of any nature whatsoever whether groundless or not for damages which may arise from the installation, operation, continued existence in county right of way or state trunklines or maintenance of the System except for claims resulting from the gross negligence of RCOC employees.

The City shall acquire and maintain insurance covering public liability for loss resulting from injury to property or persons arising out of or caused by the operation, maintenance, or existence of the System, naming the Board of County Road Commissioners of the County of Oakland, its officers and employees as additional named insureds. Said policy shall be in a form and amount acceptable to the RCOC, but not less than \$2,000,000 each occurrence and \$2,000,000 aggregate.

Certificates of insurance for each policy providing for 30 days notice to the RCOC of cancellation, termination or material change shall be provided to the RCOC.

8. Prior Agreements – Prior Installations

This Agreement specifically incorporates and applies to intersections previously subject to the agreement dated April 6, 1981, all intersections within the City within which OPTICOM was installed by the RCOC, including those intersections added to the agreement by subsequent letter agreements.

The April 6, 1981 agreement, as modified by subsequent letter agreements, remains effective up to the date of execution of this Agreement.

9. Scope of Agreement – Governmental Immunity

It is the intention of the parties hereto, that this Agreement is not made for the benefit of any third party.

It is declared that the work to be performed under this Agreement is a governmental function. It is the intention of the parties hereto that this Agreement shall not in any manner be construed to waive the defense of governmental immunity which the parties possess prior to the execution of this Agreement.

10. Equal Opportunity

In accordance with 1976 PA, as amended, and 1976 PA 209, as amended, the parties hereto covenant not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status, or because of a handicap that is unrelated to the individual's ability to perform the

duties of a particular job or position, and to require a similar covenant on the part of any sub-contractor employed in the performance of this Agreement

11. Termination

This Agreement may be terminated by either party hereto upon thirty (30) days' written notice in advance, delivered to the other party at its usual business address.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized representatives, the day and year first above written.

CITY OF TROY, a Municipal Corporation

By: _____

Its: _____

By: _____

Its: _____

ROAD COMMISSION FOR OAKLAND
COUNTY, a Michigan Statutory Public
Body Corporate

By: _____

Brent O. Bair

Its: Managing Director



November 13, 2001

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY

RE: PHOENIX MANAGEMENT SERVICES, INC. V. TROY

The City of Troy has been included in the bankruptcy case involving MedMax Inc., since \$18,208.54 was paid to the City for property taxes. Although the collected sum has already been forwarded to the appropriate taxing jurisdictions, the receiver for MedMax Inc. (Phoenix Management Services) now seeks reimbursement of this amount from the City of Troy. According to the receiver, the property tax was paid when the company knew or should have known that bankruptcy would be filed. Under bankruptcy laws, the court has authority to order reimbursement of these payments made when bankruptcy is imminent (preferential payments). This is permitted, so that debtors will be discouraged from making large, fraudulent monetary contributions to friends and family members when bankruptcy is imminent.

The property taxes were paid on December 28, 1998. The MedMax Inc. bankruptcy petition was filed on March 26, 1999, which was within the preferential payment time period. Although the payment was not a "fraudulent payment", the receiver also argues that the payment should be set aside, since MedMax Inc. received no value from the payment. Troy requires property taxes to be paid in advance, and therefore they argue that MedMax Inc. received no benefit from the payment. However, since the initial petition was under Chapter 11 of the Bankruptcy code, (re-organizational bankruptcy), there are some flaws in this argument.

The City Attorney's Office requests authority to represent the City of Troy in this bankruptcy case. If you have any questions concerning the above, please let us know.



November 13, 2001

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY

RE: WPW v. CITY OF TROY

In November 2000, the City of Troy was successful at the Michigan Court of Appeals in the WPW Acquisition Company v. City of Troy case. The Plaintiff, WPW, owns an office building in the City of Troy. In 1991, Plaintiff requested (and received) a 23% reduction in the SEV of the building, due to decreases in occupancy in the building. In 1994, the Michigan electorate passed Proposal A, which limited increases in taxable value to the general price level of the preceding year. In order to implement the provisions of Proposal A, the Michigan Legislature passed some statutes, defining terms. One of these statutes provided that the Proposal A cap did not apply when there were "additions" to the property. "Additions" was defined to include increases in occupancy in addition to physical improvements to a property. Based on this definition, the City of Troy increased the taxable value of WPW's office building by approximately 14% in 1996, since the building had been restored to almost full occupancy. WPW then challenged that since the taxable value increase should have been capped at 2.8% (the price level of the preceding year), since there were no physical improvements to the property. The Michigan Court of Appeals rejected this argument, and overturned the Oakland County Circuit Court.

The Michigan Supreme Court has recently granted WPW with the right to appeal the case to the Michigan Supreme Court. The Court has also granted permission for the Michigan Chamber of Commerce and the Michigan Insurance Federation to file an Amicus Brief in support of WPW.

The WPW case has been closely followed, and several cases from other communities have been held in abeyance pending the outcome of the WPW case. The Michigan Attorney General, through the State Tax Commission, has offered to

file an Amicus Brief in support of the City's position in this case. In addition, it would be helpful to have Amicus Briefs from the Michigan Municipal League, especially since this issue will have a widespread effect throughout the State of Michigan. The Michigan Townships Association and the County Assessors may also be requested to file Amicus Briefs in the matter.

The Michigan Municipal League requires a resolution to be passed by a municipality that requests assistance before it will even consider filing an Amicus Brief. Attached please find a proposed resolution for your consideration.

As always, if you have any questions concerning the above, please let me know.

November 13, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Charles T. Craft, Chief of Police

SUBJECT: Request to set a Public Hearing Regarding Acceptance of a Local Law Enforcement Block Grant

The City of Troy has received preliminary approval to receive a Local Law Enforcement Block Grant (LLEBG). The grant provides \$30,964 with a city match of \$3,404, for a total of \$34,440. Upon acceptance of the grant the Department has two years to expend the funds. Per the Finance Department, the matching funds will require a budget amendment, which will be submitted in the future.

The Police Department has submitted a plan to utilize the money to purchase Automatic External Defibrillators (AED's). Currently, the Department has twelve (12) AED's, ten (10) of which are assigned to patrol units. It is anticipated this purchase will allow the Department equip all on-duty patrol vehicles with an AED. The total number of AED's purchased will be dependent upon the cost per unit.

As required by the grant, an advisory board consisting of representatives from the Law Department, 52-4 District Court, Troy School District, and Troy Community Coalition, reviewed the plan. The advisory board unanimously agreed with the plan and approved it. The grant also requires that a public hearing be held.

It is requested that City Council set a public hearing date of December 17, 2001. This date will allow us meet public posting requirements.



November 14, 2001

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY
ROBERT F. DAVISSON, ASSISTANT CITY ATTORNEY

RE: TROY v. THOMAS (CIVIC CENTER PROJECT)

In April, City Council approved the terms of a settlement in this condemnation case for the property at 11 Town Center Drive. However, Mr. Thomas was not able to execute the proposed settlement agreement, due to his severe illness. Therefore, the case remained in limbo until the recent passing of Mr. Thomas.

The passing of Mr. Thomas required the inclusion of his estate and also the inclusion of his surviving wife in the proposed settlement, even though she was not listed on the title to the property. In order to reflect these changes, a proposed consent judgment has been drafted. The terms of the consent judgment are otherwise essentially the same terms as the previous settlement agreement.

It is the recommendation of the City Attorney's Office that this Consent Judgment be approved for entry with the Court. The document would actually be executed by attorney Gary Strauss, who represented the City in this matter.

If you have any questions concerning the above, please let us know.

November 14, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Charles Craft, Chief of Police
Gary Mayer, Police Captain
George Zielinski, Police Sergeant

SUBJECT: Application to drop and add Co-Licensees by **7-ELEVEN (2891 Crooks)**

7-ELEVEN, INC., requests to drop **D. & G. BLATCHLEY, INC.**, as Co-Licensee and add **NISAR SIDDIQUI** as Co-Licensee with 7-Eleven, Inc. in 2001 Specially Designated Merchant (SDM) licensed business located at 2891 Crooks, Troy, MI 48084, Oakland County. [MLCC REF#132394]

The Liquor Advisory Board recommended approval of this application at its November 12th meeting. Present at that meeting to answer questions from the Board was Mr. Nisar Siddiqui (applicant) and Mr. Pedro Hernandez, Field Representative for 7-Eleven, Inc. Mr. Siddiqui has been involved with operating 7-Eleven stores since 1986 in California. He advises this store's operation will remain the same with an added emphasis on strict liquor sales control. His stores have had only one violation in 17 years of operation.

The police department's background investigation of Mr. Siddiqui. revealed no history of liquor violations or criminal activity in Michigan. The 7-Eleven store itself at this location does have some history of violations under different Co-Licensees (History File attached). The police department has no objection to this application.

**MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION**

7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

POLICE INVESTIGATION REQUEST
[Authorized by MCL 436.1(4)]

DATE: August 6, 2001
REQUEST ID# 132394

Chief of Police
Troy Police Department
500 West Big Beaver Road
Troy Mi 48084-5285

Chief of Law Enforcement Office

Applicant: 7-Eleven, Inc. request to drop D. & G. Blatchley, Inc. & add Nisar Siddiqui as co-licensee with 7-Eleven, Inc. located at 2891 Crooks, Troy, MI 48084, Oakland County.

Please make an investigation of the application. If you do not **believe** that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report and recommendations of the applicant to the Licensing Division.

[x] Please include fingerprint cards and \$15.00 for each card, and mail to the Michigan Liquor Control Commission.

If you have any questions, contact the Licensing Division at (517) 322-1400, after 10:00 a.m.

LC-1972 Rev. 6/92
4880-1658
nll

POLICE INSPECTION REPORT ON LIQUOR LICENSE REQUEST

(Authorized by MCL 436.7a)

Michigan Department of Consumer & Industry Services

LIQUOR CONTROL COMMISSION

7150 Harris Drive

P.O. Box 30005

Lansing, Michigan 48909-7505

Important: Please conduct your investigation as soon as possible and complete all four sections of this report.
Return the completed report and fingerprint cards to the Commission.

132394 NLL

BUSINESS NAME AND ADDRESS: (include zip code)
2891 CROOKS, TROY, MI 48064, OAKLAND COUNTY

7-ELEVEN, INC.

REQUEST FOR:
TO DROP D. & G. BLATCHLEY, INC. AS CO-LICENSEE IN 2001 SDM LICENSE & ADD NISAR
SIDDIQUI AS CO-LICENSEE

Section 1. APPLICANT INFORMATION

APPLICANT #1: NISAR SIDDIQUI	APPLICANT #2:
HOME ADDRESS AND AREA CODE/PHONE NUMBER: 30351 VIA RIVERA RANCHO PALOS VERDES, CA 90275-4459 310 344 5438	HOME ADDRESS AND AREA CODE/PHONE NUMBER:
DATE OF BIRTH: If the applicant is not a U.S. Citizen: o Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No o Does the applicant have a Visa? Enter status:	DATE OF BIRTH: If the applicant is not a U.S. Citizen: o Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No o Does the applicant have a Visa? Enter status:
Date fingerprinted:	Date fingerprinted:

Attach the fingerprint card and \$15.00 for each card and mail to the Liquor Control Commission.

ARREST RECORD: ☐ Felony ☐ Misdemeanor
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: ☐ Felony ☐ Misdemeanor
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. Investigation of Business and Address to be Licensed

Can living quarters be reached from the inside of the establishment without going outside? ☐ Yes ☐ No

Does applicant intend to have dancing or entertainment?
☐ No ☐ Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment Permit

Are gas pumps on the premises or directly adjacent? ☐ No ☐ Yes, explain relationship:

Section 3. Local and State Codes and Ordinances, and General Recommendations

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? ☐ Yes ☐ No

If you are recommending approval subject to certain conditions, list the conditions: (Attach a signed and dated report if more space is needed)

Section 4. Recommendation

From your investigation:

1. Is this applicant qualified to conduct this business if licensed? ☐ Yes ☐ No
2. Is the proposed location satisfactory for this business? ☐ Yes ☐ No
3. Should this request be granted by the Commission? ☐ Yes ☐ No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this ____ day of _____, 200____, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and 7-Eleven, Inc and Nisar Siddiqui, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the adding of Nisar Siddiqui as Co-Licensee in 2000 Specially Designated Merchant licensed business located at 2891 Crooks, Troy, MI 48084.
2. In consideration of the City of Troy's recommendation for approval of the addition, the applicant hereby agrees that:
 - a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter Nos. 67, 68, 92, and Chapter 98 (effective 02/01/2001), and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

Authorized Representative

Nisar Siddiqui

7-ELEVEN, INC.

Witnesses:

Subscribed and sworn to before me
this ____ day of _____, 200____

Notary Public, _____
County, _____
My commission expires:

CITY OF TROY

By: _____
Matt Pryor, Mayor

By: _____
Tonni Bartholomew, City Clerk

Witnesses:

Subscribed and sworn to before me
this _____ day of _____, 200__

Notary Public, Oakland
County, Michigan
My commission expires:

LCC

Liquor Licensee History

Business name: **7-Eleven**

Address: 2891 Crooks (248) 643-7281

Phone: (248) 528-0711

Licensee: D & G Blatchley, Inc. & The Southland Corporation

License type: **SDM** (12897-2000)

Permits: none

Comments:

Date	Troy Incident #	Type	Disposition	Date
1/71		Licensed		
9/22/73	73-14700	Sale to minor	Fined \$300	2/28/74
2/14/76	76-3144	Sale after hours	Fined \$300	8/17/76
9/18/78	78-21412	Sale to minor	Dismissed	5/9/79
1/5/80	80-350	Sale to minor		
2/1/80	80-2362	Sale to minor		
3/4/80	80-4737	Sale to minor	Fined \$600 Three charges	6/4/81
2/19/87	87-5262	Sale to minor (compliance test)	Fined \$300	8/3/87
5/23/91	91-14228	Sale to minor (compliance test)	Fined \$400	6/3/92
2/19/92		Application for SDD	Denied by City and LCC	11/8/92
11/4/92	92-33973	Sale to minor (compliance test)	Fined \$600	11/05/93
06/12/93	93-17092	Sale to minor (compliance test)	Dismissed Enforcement Aide didn't appear	11/04/93
01/01/99	99-00053	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/24/99	99-07394	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/13/99	99-17667	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

06/22/99	99-23579	Compliance Test	PASSED	
06/23/99	99-23652	Compliance Test	PASSED	
07/29/99	99-28830	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/11/99	99-34865	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/27/99	99-41266	Sale to Minor (Compliance Test)	\$600	05/03/00
11/24/99	99-45013	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00		Compliance test	PASSED	
10/24/00	00-39374	Sale to Minor (Compliance Test)	\$800 fine	04/20/01
11/15/00	00-42359	Compliance Test	PASSED	
02/28/01		Council Show Cause -resolution to require TIPS/TAM training for all employees who sell with proof to PD within 60 days		
05/21/01		Reminder letter sent for proof of TIPS		
08/14/01	01-29127	Compliance Test	PASSED	
09/25/01	01-34483	Compliance Test	PASSED	
11/06/01	01-39641	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

The meeting was called to order at 7:30 p.m. by Chairman Max Ehlert in Conference Room C.

PRESENT: David Balagna
Max Ehlert
W. Stan Godlewski
James Moseley
James Peard
Thomas Sawyer
Jennifer Gilbert, Student Representative
Sergeant George Zielinski
Marsha Livingston, Office Coordinator
Lynn McDaniel, Clerk-Typist

ABSENT: John Walker

Moved by Balagna, seconded by Moseley, to EXCUSE the absent member(s).
APPROVED unanimously

Moved by Moseley, seconded by Godlewski, to APPROVE the minutes of the October 8, 2001 meeting as printed.
APPROVED unanimously

AGENDA ITEMS:

1. **7-ELEVEN, INC.**, requests to drop **D. & G. BLATCHLEY, INC.**, as Co-Licensee and add **NISAR SIDDIQUI** as Co-Licensee with 7-Eleven, Inc. in 2001 Specially Designated Merchant (SDM_licensed business located at 2891 Crooks, Troy, MI 48084, Oakland County. [MLCC REF#132394]

Present to answer questions from the committee were Nisar Siddiqui, Co-Licensee applicant for 7-Eleven location at 2891 Crooks Road, and Pedro Hernandez, Field Consultant for 7-Eleven, Inc.

Mr. Siddiqui has been a successful franchisee in California from December, 1986 to October, 2001. In 16 years in California, he had only had one liquor violation. Mr. Siddiqui and his wife will be an active owner on premises. His employees will be adults over 21. He stated that all existing employees have been through TIPS program within the last year and any new employees hired will be put through TIPS. Mr. Siddiqui will have cash registers programmed to have birthdates entered before purchase of liquor is obtained. Mr. Hernandez stated he will be doing spot inspections at location by obtaining electronic computer printouts from cash register to scan birthdates that have been entered. Mr. Siddiqui is currently leasing a home in Troy and intends to purchase a home in Troy soon. Sgt. Zielinski stated background check on Mr. Siddiqui appears in order.

Moved by Moseley, seconded by Ehlert, to APPROVE the above request.
APPROVED unanimously

2. **Committee discussion on Liquor License limitations.**

The committee discussed options available for limiting licenses. Troy currently has 49

licenses, 47 which are active and 2 in escrow. Additional licenses will be allocated to Troy due to an increase in the population. Sgt. Zielinski furnished copies of current criteria and a map showing where current licenses are within the city. The committee would like to look at criterias from other cities similar in demographics such as Southfield, Farmington Hills, Sterling Heights.

Changing verbiage on current criteria was weighed. Care needs to be taken when changing criteria to ensure that applicants are not completely shut off but not make it too easy to obtain a license. The committee would like to put the burden on the license applicant to meet the criteria. Applicants will know exactly what is expected before they apply for a license. It was noted that there was nothing in current criteria about transfers of licenses. Criterias can be used for denials. City Council does not need to have a reason to deny or approve.

Additions to new criteria could include public notification or public forum. Residents, schools, churches, businesses within 300 feet of new or transferred license would be notified of a license application. A sign could be placed on property stating that a liquor license is being applied for at that location. Feedback from public would be important.

The committee discussed that the current criteria from 1993 needs to be enforced. Sgt. Zielinski will make sure applicants will receive the current criteria in packet.

Further discussion regarding criteria changes will continue at the December 2001 meeting.

Motion by Elhert, seconded by Godlewski, that all Class C & B license application packets include current criteria.

Moved by Ehlert, seconded by Sawyer to ADJOURN the meeting at 8:15 p.m.
APPROVED unanimously

LM/lm

(2) The fees provided in this act for the various types of licenses shall not be prorated for a portion of the effective period of the license.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1527 Special license for nonprofit charitable organization; issuance; nontransferable; fee; auction.

Sec. 527. (1) The commission may issue a special license to a nonprofit charitable organization that is exempt from the payment of taxes under the internal revenue code for the purpose of allowing the organization to sell, at auction, wine donated to the organization.

(2) A special license issued pursuant to subsection (1) is not transferable. The organization applying for the special license shall pay the fee required under section 525(1)(r).

(3) An auction permitted under subsection (1) may occur upon premises which are otherwise licensed under this act to allow the sale of alcoholic liquor for consumption on the licensed premises.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1529 Transfer of license or interest in license; notice of transfer of stock in licensed corporation or licensed limited partnership; investigation to ensure compliance; approval; transfer fee; inspection fee.

Sec. 529. (1) A license or an interest in a license shall not be transferred from 1 person to another without the prior approval of the commission. For purposes of this section, the transfer in the aggregate to another person during any single licensing year of more than 10% of the outstanding stock of a licensed corporation or more than 10% of the total interest in a licensed limited partnership shall be considered to be a transfer requiring the prior approval of the commission.

(2) Not later than July 1 of each year, each privately held licensed corporation and each licensed limited partnership shall notify the commission as to whether any of the shares of stock in the corporation, or interest in the limited partnership, have been transferred during the preceding licensing year. The commission may investigate the transfer of any number of shares of stock in a licensed corporation, or any amount of interest in a licensed limited partnership, for the purpose of ensuring compliance with this act and the rules promulgated under this act.

(3) Except as otherwise provided in subdivisions (a) through (f), upon approval by the commission of a transfer subject to subsection (1), there shall be paid to the commission a transfer fee equal to the fee provided in this act for the class of license being transferred. A transfer fee shall not be prorated for a portion of the effective period of the license. If a person holding more than 1 license or more than 1 interest in a license at more than 1 location, but in the name of a single legal entity, transfers all of the licenses or interests in licenses simultaneously to another single legal entity, the transfers shall be considered 1 transfer for purposes of determining a transfer fee, payable in an amount equal to the highest license fee provided in this act for any of the licenses, or interests in licenses, being transferred. A transfer fee shall not be required in regard to any of the following:

(a) The transfer, in the aggregate, of less than 50% of the outstanding shares of stock in a licensed corporation or less than 50% of the total interest in a licensed limited partnership during any licensing year.

(b) The exchange of the assets of a licensed sole proprietorship, licensed general partnership, or licensed limited partnership for all outstanding shares of stock in a corporation in which either the sole proprietor, all members of the general partnership, or all members of the limited

partnership are the only stockholders of that corporation. An exchange under this subdivision shall not be considered an application for a license for the purposes of section 501.

(c) The transfer of the interest in a licensed business of a deceased licensee, a deceased stockholder, or a deceased member of a general or limited partnership to the deceased person's spouse or children.

(d) The removal of a member of a firm, a stockholder, a member of a general partnership or limited partnership, or association of licensees from a license.

(e) The addition to a license of the spouse, son, daughter, or parent of any of the following:

(i) A licensed sole proprietor.

(ii) A stockholder in a licensed corporation.

(iii) A member of a licensed general partnership, licensed limited partnership, or other licensed association.

(f) The occurrence of any of the following events:

(i) A corporate stock split of a licensed corporation.

(ii) The issuance to a stockholder of a licensed corporation of previously unissued stock as compensation for services performed.

(iii) The redemption by a licensed corporation of its own stock.

(4) A nonrefundable inspection fee of \$70.00 shall be paid to the commission by an applicant or licensee at the time of filing any of the following:

(a) An application for a new license or permit.

(b) A request for approval of a transfer of ownership or location of a license.

(c) A request for approval to increase or decrease the size of the licensed premises, or to add a bar.

(d) A request for approval of the transfer in any licensing year of any of the shares of stock in a licensed corporation from 1 person to another, or any part of the total interest in a licensed limited partnership from 1 person to another.

(5) An inspection fee shall be returned to the person by whom it was paid if the purpose of the inspection was to inspect the physical premises of the licensee, and the inspection was not actually conducted. An inspection fee shall not be required for any of the following:

(a) The issuance or transfer of a special license, salesperson license, limited alcohol buyer license, corporate salesperson license, hospital permit, military permit, or Sunday sale of spirits permit.

(b) The issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

(c) The issuance of authorized but previously unissued corporate stock to an existing stockholder of a licensed corporation.

(d) The transfer from a corporation to an existing stockholder of any of the corporation's stock that is owned by the corporation itself.

(6) All inspection fees collected under this section shall be deposited in the special fund in section 543 for carrying out of the licensing and enforcement provisions of this act.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1531 Public licenses and resort licenses; on-premise escrowed licenses; limitations and quotas; additional licenses for certain establishments; license for certain events at public university; economic development factors; exceptions as to certain veterans and airports; special state census of local governmental unit; rules; availability of transferable licenses held in escrow; on-premise escrowed or quota license; issuance of available licenses; hotels; definitions.

(d) Allow the sale, possession, or consumption on the licensed premises of any controlled substances that are prohibited by Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws.

(e) Allow narcotics paraphernalia to be used, stored, exchanged, or sold on the licensed premises.

(6) A retail licensee shall not sell any alcoholic liquor off the licensed premises except as follows:

(a) An on-premises licensee may provide out-of-doors service if done in accord with the provisions of R 436.1419.

(b) An off-premises licensee may deliver a pre-ordered quantity of alcoholic liquor to a customer; however, a delivery shall not be made to any customer on the campus of any 2- or 4-year college or university, unless the customer is licensed by the commission.

(c) An off-premises licensee may provide out-of-doors service if done in accord with the provisions of R 436.1521.

History: 1979 ACS 4, Eff. Feb. 3, 1981; 1979 ACS 16, Eff. Nov. 15, 1983; 1985 12, Eff. Jan. 1, 1986; 1994 MR 12, Eff. Dec. 16, 1995.

R 436.1013 Gambling and gambling devices prohibited.

Rule 13. (1) A licensee shall not allow unlawful gambling on the licensed premises.

(2) A licensee shall not allow any gambling devices on the licensed premises which are prohibited by the statutes of this state.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1015 Display of license and permit.

Rule 15. (1) Licenses issued by the commission shall be signed by the licensee, shall be framed under a transparent material, and shall be prominently displayed in the licensed premises.

(2) Permits issued by the commission to a licensee shall be framed under a transparent material and shall be prominently displayed in the licensed premises adjacent to the liquor license.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1017 Prohibited sales of alcoholic liquor.

Rule 17. (1) A licensee shall not sell, offer or keep for sale, furnish, possess, or allow a customer to consume, alcoholic liquor which is not authorized by the license issued to the licensee by the commission.

(2) A licensee shall not knowingly sell or furnish alcoholic liquor to a person who maintains, operates, or leases premises which are not licensed by the commission and upon which other persons unlawfully engage in the sale or consumption of alcoholic liquor for a fee or other valuable consideration.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1019 Contests.

Rule 19. A licensee shall not participate in or sponsor any contest that requires the use or consumption of alcoholic liquor or features alcoholic liquor as a prize in connection with a contest.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1021 Sale to licensed truck driver salesman.

Rule 21. A licensee shall not knowingly sell, give, or furnish alcoholic liquor to a licensed truck driver salesman who is employed by a licensee while the truck driver is on duty or in the course of employment.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1023 Sale or transfer of license: transfer of location: alteration of premises: lease, sale or transfer of premises.

Rule 23. (1) A licensee shall not sell or transfer an interest in a business licensed by the commission without the prior written approval of the commission

(2) A licensee shall not transfer the location of the licensed premises without the prior written approval of the commission.

(3) A licensee shall not, without the prior written approval of the commission, do any of the following:

(a) Make an alteration in the size of the physical structure of the licensed premises.

(b) Add or drop any space to or from the physical structure of the licensed premises.

(c) Install any additional bars, if the licensee holds a class C or B hotel license.

(4) A licensee shall not lease, sell, or transfer possession of a portion of the licensed premises without the prior written approval of the commission.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1025 Storing of alcoholic liquor.

November 13, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Doug Smith, Real Estate and Development Director
Dennis C. Stephens, Right of Way Representative

SUBJECT: Abandonment of a Permanent Public Utility Easement Located on
Property at 209 Park Street

The National Television Book Company located at 209 Park Street has requested that the City abandon a public utility easement that was granted to the City in October of 1979, being required as part of the site plan approval.

This easement has never been utilized and there are no utilities presently located in this easement area and none planned.

There was recently an addition built onto the existing building, which ended up being located on top of the easement area.

Both the Engineering and Planning Departments have reviewed the request and have no objections to this easement being abandoned.

City staff would recommend abandonment of this permanent public utility easement, as it serves no present or known future use.

DCS/pg

EASEMENT

LINE 7665 PAGE 878

79 12231.0

KNOW ALL MEN BY THESE PRESENTS, That M.H.S.F. Associates, a MichiganCorporation

whose address is

1100 Top of Troy Building, Troy, Michigan 48064

party of the first part, for and in consideration of the sum of One Dollar (\$1.00) ~~and the sum of One Dollar (\$1.00) paid to~~ IN WITNESS WHEREOF by the CITY OF TROY, a Michigan Municipal Corporation, party of the second part, whose address is 500 West Big Beaver Road, Troy, Michigan, do hereby grant to the said party of the second part the right to construct, operate, maintain, repair and/or replace a PUBLIC UTILITIES system and through the following described land situated in the City of Troy, to-wit:

T2N, R1E, City of Troy, Oakland County, Michigan
 Beg. at pt dist. N 89° 59' 30" E 80 ft from NW cor of Lot 13 of Maple Industrial
 subdivision. Th N 82° 52' 30" E 243.40 ft, th S 80° 18' 10" E 143.30 ft, Th
 N 89° 07' 00" W 60.70 ft, th S 01° 11' 00" E 95.77 ft, th S 89° 29' 09" W 211.52 ft,
 Th N 00° 00' 30" E 241.59 ft. to beg.

Said easement is described as:

SEE ATTACHED SHEET.

and to enter upon sufficient land adjacent to said PUBLIC UTILITIES for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the party of the second part.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns, and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed and signature this 2nd day of October A.D. 19 79.

in presence of:
 WITNESSES

Barbara L. Wellensick
BARBARA L. WELLENSICK

M.H.S.F. Associates

Leo D. Stein - Partner

(L.S.)

(L.S.)

Diane C. Ecker
Diane C. Ecker

John W. Miller - Partner

(L.S.)

STATE OF MICHIGAN

COUNTY OF OaklandOn this 2nd day of October A.D. 19 79,

before me, a Notary Public in and for said county, personally appeared Leo D. Stein and John W. Miller - partners of M.H.S.F. Assoc.

to me known to be the same person (s) described in and who executed the within instrument, who then acknowledged the same to be their free act and deed.

RETURN TO:

City Clerk, City of Troy
 500 W. Big Beaver Road
 Troy, Michigan 48064

Barbara L. Wellensick
 Notary Public, Oakland County, Michigan

My Commission Expires _____

BARBARA L. WELLENSICK
 Notary Public, Oakland County, Mich.
 My Comm. Expires Dec. 22, 1980

2
 (Individuals)

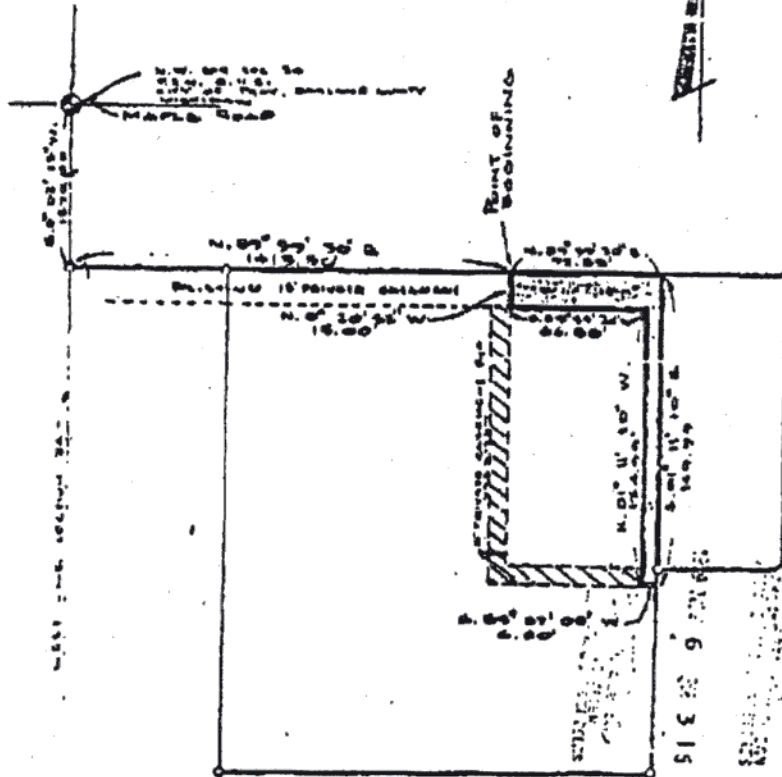
Prepared by John F. Loncharich
Engineering Technician
City of Troy
Troy, Michigan 48064

LSA 7665 PAGE 879

(See Sheet Two for
Accompanying Prop-
erty Description)

SKETCH OF
PROPOSED PUBLIC UTILITY EASEMENT
McMAHON & ASSOCIATES
19669 EAST RIGHT HILL ROAD
DETROIT, MICH. 48205

N



LEGEND: R=Recorded Dimensions: M=Measured Dimensions: C=Calculated Dimensions:

CERTIFIED to Fardman Stein & Company
ADDRESS 755 W. Big Beaver No. 2100
CITY & STATE Troy, Michigan 48064
DATE SURVEYED February 27, 1979
JOB NO. 6ND:2-79/C
SCALE Not to Scale

[Signature]
REGISTERED LAND SURVEYOR
John J. McMahon

Sheet 1 of 2 Sheets

7665 PAGE 880

McMahon Drawing No. 64012-79/C

August 30, 1977

PROPERTY LOCATED IN

CITY OF TROY,

OAKLAND COUNTY, MICHIGAN

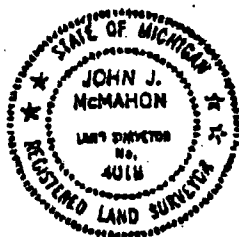
PROPOSED PUBLIC UTILITY EASEMENT

Easement over a parcel of land of part of the Northwest one-quarter of Section 34, City of Troy, Oakland County, Michigan, described as;

Commencing at the Northwest corner of said Section 34;

Thence South 0 degrees 02 minutes 15 seconds West, along the West line of Section 34, a distance of 1370.00 feet to a point;
Thence North 89 degrees 59 minutes 30 seconds East, a distance of 1413.96 feet to the point of beginning.

Thence North 89 degrees 59 minutes 30 seconds East, a distance of 72.88 feet to a point;
Thence South 01 degrees 11 minutes 00 seconds East, a distance of 149.99 feet to a point;
Thence South 89 degrees 07 minutes 00 seconds West, a distance of 6.00 feet to a point;
Thence North 01 degrees 11 minutes 10 seconds West, a distance of 134.99 feet to a point;
Thence South 89 degrees 59 minutes 30 seconds West, a distance of 66.88 feet to a point;
Thence North 0 degrees 20 minutes 52 seconds West, a distance of 15.00 feet to the point of beginning.



John J. McMahon
John J. McMahon
Registered Land Surveyor

Sheet 2 of 2 Sheets

LIBER 7055 Page 884
CONSENT TO EASEMENT GRANT
AND SUBORDINATION OF LIEN

75 122372

Does Cover

*2-11
34*

In consideration of One Dollar (\$1.00) the receipt of which is hereby acknowledged, the undersigned Birmingham Industrial Corporation

A MICHIGAN CORPORATION

whose address is

2056 Industrial Road, Troy, Michigan 48064.

holder of a Land Contract on, or, a Vendor's Interest in, the following described property in the City of Troy, Oakland County, Michigan, does hereby grant to the CITY OF TROY the right to construct, operate, maintain, repair and/or replace PUBLIC UTILITIES

across and through the following described land in the City of Troy, to-wit: T2N, R1E, City of Troy, Oakland County, Michigan Bq. at pt dist. N 89° 59' 30" E 60 ft from NW cor of Lot 11 of Maple Industrial Subdivision. Th N 89° 59' 30" E 269.48 ft, th S 00° 10' 19" E 143.04 ft, Th N 89° 07' 00" W 60.34 ft, th S 01° 11' 00" E 93.77 ft, th S 89° 29' 03" W 211.52 ft, Th N 00° 00' 30" E 241.59 ft to bog.

Said easement is described as:

SEE ATTACHED SHEET.

and to enter upon sufficient land adjacent to said PUBLIC UTILITIES for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

Which Land Contract on, or, a Vendor's Interest in, does hereby consent to the granting of an easement across and through the above described premises to the City of Troy, a Michigan Municipal Corporation, whose address is 500 West Big Beaver Road, Troy, Michigan, for the purpose of installing and maintaining said PUBLIC UTILITIES and does hereby subordinate its lien on the premises to such easement.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors, and assigns and the covenants, contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature this 10th day of October, A.D. 1979.

In presence of:
WITNESS

John W. Miller
Michael Horowitz

BIRMINGHAM INDUSTRIAL CORPORATION
George R. Squibb (L.S.)
George R. Squibb, President (L.S.)
[Signature] (L.S.)

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

On this 10th day of October, A.D. 1979, before me, a Notary Public in and for said county, personally appeared,

George R. Squibb, President of Birmingham Industrial Corporation to me known to be the same person (s) described in and who executed the within instrument, who then acknowledged the same to be his free act and deed.

RETURN TO:
City Clerk, City of Troy
500 W. Big Beaver Road
Troy, Michigan 48064

Barbara L. Willensick
Notary Public, Oakland County, Michigan
BARBARA L. WILLENSICK
Notary Public, Oakland County, Mich.
My Comm. Expires Dec. 22, 1983

2

Prepared By John F. Loncharich
Engineering Technician
City of Troy
Troy, Michigan 48064

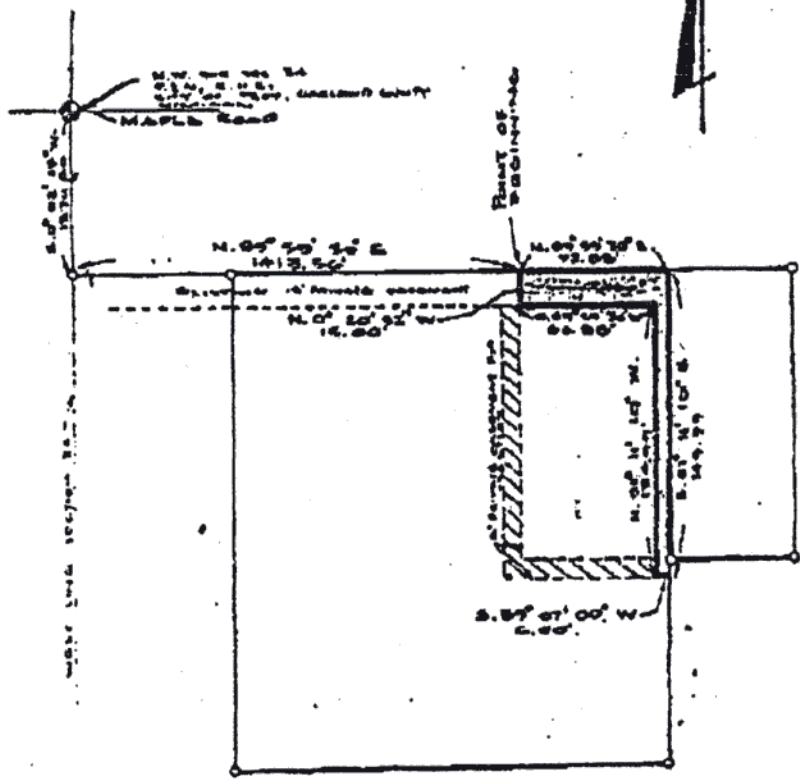
7.00

US 7605 885

(See Sheet Two for
Accompanying Prop-
erty Description)

SKETCH OF
PROPOSED PUBLIC UTILITY EASEMENT
McMAHON & ASSOCIATES
1000 EAST FIRST MICHIGAN
ANN ARBOR, MICH. 48106

N



LEGEND: R=Recorded Dimensions; M=Measured Dimensions; C=Calculated Dimensions;

CERTIFICATE Forbman Stein & Company
ADDRESS 755 W. Big Beaver No. 2100
CITY/STATE Troy, Michigan 48064
DATE SURVEYED February 27, 1979
JTS MC 64012-TS/C
SCALE Not to Scale

[Signature]
REGISTERED LAND SURVEYOR No. 4018
John J. McMahon

LAU 7685 HAT 886

McMahon Drawing No. 64012-79/C

August 30, 1979

PROPERTY LOCATED IN

CITY OF TROY,

OAKLAND COUNTY, MICHIGAN

PROPOSED PUBLIC UTILITY EASEMENT

Easement over a parcel of land of part of the Northwest one-quarter of Section 34, City of Troy, Oakland County, Michigan, described as:

Commencing at the Northwest corner of said Section 34;

Thence South 0 degrees 02 minutes 15 seconds West, along the West line of Section 34, a distance of 1370.00 feet to a point;

Thence North 89 degrees 59 minutes 30 seconds East, a distance of 1413.56 feet to the point of beginning.

Thence North 89 degrees 59 minutes 30 seconds East, a distance of 72.88 feet to a point;

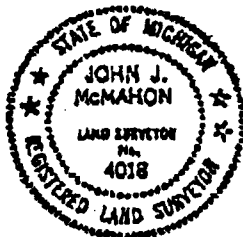
Thence South 01 degrees 11 minutes 00 seconds East, a distance of 149.99 feet to a point;

Thence South 89 degrees 07 minutes 00 seconds West, a distance of 6.00 feet to a point;

Thence North 01 degrees 11 minutes 10 seconds West, a distance of 134.99 feet to a point;

Thence South 89 degrees 59 minutes 30 seconds West, a distance of 66.88 feet to a point;

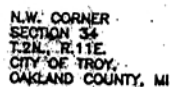
Thence North 0 degrees 20 minutes 52 seconds West, a distance of 15.00 feet to the point of beginning.



John J. McMahon
John J. McMahon
Registered Land Surveyor #4018

Sheet 2 of 2 Sheets

SIDWELL NO.
20-34-126-002



UTILITY STATEMENT
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE

BOARDS AND COMMITTEES VACANCIES

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

Advisory Committee for Persons with Disabilities

[Appointed by Council \(9\) - 3 years](#)

Term expires 11-01-2003 (Alternate)

Term expires 11-01-2004

Term expires 11-01-2004

PHONE	NAME	ADDRESS	TERM EXPIRES
689-9098	Mary Ann Butler (Alternate)	1060 Glaser, 98	Nov. 1, 2003
526-3088B	Philip D'Anna	5149 Westmoreland, 98	Nov. 1, 2001
689-1457	Angela Done	2304 Academy, 83	Nov. 1, 2002
740-8983	Nancy Johnson	1461 Lamb, 98	Nov. 1, 2003
813-9575 258-2500B	Leonard Bertin	5353 Rochester, 98	Nov. 1, 2002
641-7764 313-496-2686B	Dick Kuschinsky	5968 Whitfield, 98	Nov. 1, 2004
680-1233	Theodora House	301 Belhaven, 98	Nov. 1, 2003
641-3860	Sharon Lu (Student)	1749 Freemont, 98	July 01, 2002
528-3133 696-2140B	Nancy Sura, Ch	1436 Welling, 98	Nov. 1, 2001
952-0484	Jerry Ong (Student)	1903 Fleetwood, 98	July 01, 2002
641-9538	John J. Rogers	5925 Whitfield, 98	Nov. 1, 2003
362-0671	Cynthia Buchanan (Alternate)	840 Huntsford, 84	Nov. 1, 2003
680-0325	Kul B. Gauri	5305 Greendale, 98	Nov. 1, 2002

Mr. Gauri was appointed as a regular member, therefore, an alternate position has become open.

Downtown Development Authority

Mayor, Council Approval (12)- 4 years

Term expires 9-30-2005

Term expires 9-30-2005

Term expires 9-30-2005

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
334-9770	Garry G. Carley	Heathers Club 900 Upper Scotsborough Way Bloomfield Hills, 48304	Sept. 30, 2001
879-2450	Philip Goy	380 Tara, 98	Sept. 30, 2001
879-6439 526-0576B	William Kennis	249 W. Hurst, 98	Sept. 30, 2002
680-7180	Alan M. Kiriluk , Ch	101 W. Big Beaver, Ste.200, 84	Sept. 30, 2004
827-4600	G. Thomas York	Forbes/Cohen-100 Galleria Office Center, Ste. 427, Southfield, 48037	Sept. 30, 2004
524-3244	Daniel MacLeish	650 E. Big Beaver, Ste. F, 84	Sept. 30, 2001
258-5734 689-1200 B	Clarke B. Maxson	1091 Oxford, Birmingham 48009 Office 201 W. Big Beaver Ste. 125, Troy 84	Sept. 30, 2003
879-8695	Carol A. Price	6136 Sandshores, 98	Sept. 30, 2003
879-6033	Ernest C. Reschke	6157 Walker, 98	Sept. 30, 2002
649-2924	Stuart Frankel	3221 W. Big Beaver, Ste. 106, 84	Sept. 30, 2003
952-1952H 391-3777B	Michael W. Culpepper	1236 Autumn Dr.,98	Sept. 30, 2004
879-2646 H 689-6555 B	Douglas J. Schroeder	2783 Homewood Dr., 98	Sept. 30, 2002
879-3896	Matt Pryor	6892 Coolidge, 98	Sept. 30, 2002

Mr. Garry Carley wishes to be reappointed.

Mr. Philip Goy wishes to be reappointed

Mr. Daniel MacLeish wishes to be reappointed

Attendance: Three meetings were held since January, all three men attended these meetings

Historic District Commission

Appointed by Council (7)- 3 years

Term expires 3-01-2004

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-9494H 366-1224B	Marjorie A. Biglin	5863 Cliffside, 98	March 1, 2004
689-7031	Kevin Danielson	210 Paragon, 98	May 15, 2003
619-7119H 362-2888B	David J. Eisenbacher	1863 Lakewood, 83	March 1, 2002
645-2187H	Paul C. Lin	1599 Witherbee, 84	May 15, 2003
828-0618	William G. Martin, Ch. (Resigned)	138 E. Square Lake, 98	March 1, 2004
524-1874H	Jacques O. Nixon	1035 Milverton, 83	March 1, 2002
689-0516	Dorothy Scott	129 Belhaven, 98	May 15, 2003

Mr. Martin has resigned effective 10/21/01.

Historical Commission

Appointed by Council (7)- 3 years

Term expires 7-01-2002 (Student)

Term expires 7-31-2004

		ADDRESS (Voters)	TERM EXPIRES
879-0195	Edward Bortner	193 Hurst, 98	July 31, 2002
649-5074H 810-497-5333B	Roger Kaniarz	4350 Stonehenge, 98	July 31, 2002
879-8659	Cynthia Kmett	1168 Snead, 98	July 31, 2001
641-1962	Rosemary Kornacki	4648 Rivers Edge, 98	July 31, 2002
879-6168	Jeannine Kufra (Student)	683 Sylvanwood, 98	July 01, 2001
828-3632H 753-2408B	Kevin Lindsey	6890 Norton, 98	July 31, 2003
879-6567	Muriel W. Rounds	6291 Ledwin, 98	July 31, 2003
689-1249	Brian J. Wattles	3864 Livernois, 83	July 31, 2004

Cynthia Kmett **does not** wish to be reappointed.

Liquor Committee

Appointed by Council (7) - 3 years

Term Expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-0817H 689-5900W	Max K. Ehlert	6614 Northpoint, 98	Jan. 31, 2002
689-4614H 810 575-2648B	W. S. Godlewski	2784 Whitehall, 48098	Jan. 31, 2002
828-7436	James C. Moseley	1687 White Birch Ct., 98	Jan. 31, 2003
689-8092	James R. Peard	4549 Post, 98	Jan. 31, 2003
642-1887H 647-9099W	Thomas G. Sawyer, Jr., Ch.	895 Norwich, PO 99236, Troy 48099	Jan. 31, 2003
649-7480	David J. Balagna	1822 Wilmet, 98	Jan. 31, 2003
689-1099	John J. Walker	94 Evaline, 98	Jan. 31, 2003
641-8432	Jennifer Gilbert (Student)	4808 Rivers Edge, 98	July 1, 2001
524-3477	Capt. Dane Slater	Police Department	(Ex-officio)

Traffic Committee

Appointed by Council (7) - 3 years

Term Expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-2319	David Allen (Student)	3755 Ledge Ct., 84	July 01, 2001
879-0103	John Diefenbaker	5697 Wright, 98	Jan. 31, 2003
879-0250H 663-5055B	Eric S Grinnell	406 E Square Lake, 84 MAIL TO: PO Box 99417 Troy MI 48099	Jan. 31, 2003
689-1223	Lawrence Halsey	663 Vanderpool, 83	Jan. 31, 2003
689-9401H (313)665-4284B	Jan L. Hubbell	1080 Glaser, 98	Jan. 31, 2002
524-1595	Richard A. Kilmer	62 Hickory, 83	Jan. 31, 2002
689-0217H 223-2303B	Michael Palchesko	36 Randall, 98	Jan. 31, 2002
524-9062H 689-2920B	Charles A. Solis, Ch.	1866 Crimson, 83	Jan. 31, 2003
524-3379	John Abraham	Traffic Engineer	(Ex-officio)
524-3443	Charles Craft	Police Chief	(Ex-officio)
524-3419	William Nelson	Fire Chief	(Ex-officio)

Troy Daze Committee

Appointed by Council (9) - 3 years

Term expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
528-0155 H 322-9813B	Robert A. Berk	726 Thurber, 98	Nov. 30, 2003
879-9030H 879-0272B	Sue Bishop	6109 Emerald Lake, 98	Nov. 30, 2004
528-1551	Jim D. Cyrulewski.	626 Randall, 98	Nov. 30, 2004
689-9244	Cecile Dilley	2722 Sparta, 83	Nov. 30, 2004
828-8084	Kessie Kaltsounis	6798 Jasmine, 98	Nov. 30, 2002
879-6958H 354-3710B	Richard L. Tharp	6881 Westaway Dr.98	Nov. 30, 2003
649-4345H 944-5968B	William F Hall	1891 Kirts, Apt 215, 84	Nov. 30, 2002
689-2074H 569-8454B	Jeffrey Stewart (Repr to Parks/Rec Board)	884 Hidden Ridge, 83	Sept. 30, 2003
879-3710	Eldon Thompson	6500 Denton, 98	Nov. 30, 2002
952-1732	Cheryl A Kaszubski	1878 Freemont, 98	Nov. 30, 2003
952-1763	Rebecca Mill (Student)	1478 Brentwood, 98	July 1, 2001

RECEIVED
CITY OF TROY
NOV 14 PM 12:32
City of Troy
City Clerk's Office
500 West Big Beaver
Troy, Michigan 48084
(248) 524-3316



(Send Application to Above Address)

APPLICATION FOR BOARDS AND COMMITTEES

Thank you for your interest in serving on an Advisory Board or Committee. The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment. The application will be kept on file for two years.

(Please type or print)

Name (Mr/Mrs/Ms): Patrick Daugherty
Address: 5512 Whitfield Drive
Employer: Foley & Lardner
Address: 150 W. Jefferson, 10th Floor

Date: Nov. 12, 2001
Phone: 248.641.1849
City/Zip: Troy, MI 48098
Phone: 313.442.6495
City/Zip: Detroit MI 48226

Registered voter in the City of Troy? Yes ☒ No ☐

How long have you lived continuously in the City of Troy? one year

Have you ever been convicted for anything other than a minor traffic violation? Yes ☐ No ☒

Number the advisory boards or committees for which you would like to apply for in the order of your preference - 1 = first choice, 2 = second Choice, etc.:

- ☐ Advisory Committee for Persons with Disabilities
- ☐ Animal Control Appeals Board
- ☐ Board of Review
- ☐ Brownfield Redevelopment Authority
- ☐ CATV Advisory Committee
- ☐ Civil Service Commission Act 78
- ☐ Economic Development Corporation
- ☐ Historical Commission
- ☒ Library Board
- ☐ Municipal Building Authority
- ☐ Personnel Board
- ☐ Retirement System Board of Trustees
- ☐ Troy Daze Committee

- ☐ Advisory Committee for Senior Citizens
- ☐ Board of Canvassers
- ☐ Board of Zoning Appeals
- ☐ Building Code Board of Appeals
- ☐ Charter Revision Committee
- ☒ Downtown Development Authority
- ☐ Election Commission
- ☐ Historic District Commission
- ☐ Liquor Committee
- ☒ Parks & Recreation Board
- ☐ Planning Commission
- ☐ Traffic Committee

☐ I do not wish to be reappointed.

F-1

Professional Qualifications and/or Work Experience: I am a partner of Foley & Lardner, the largest law firm in the midwestern United States. Earlier in my career I was Counsel to the Commissioners of the SEC in Washington, D.C. and, earlier still, law clerk to the Chief Judge of the U.S. District Court in Manhattan. My expertise is in business and finance.

Community Activities and/or Other Experience: I held leadership positions in the United Way in Charlotte, NC, where I lived for ten of the last eleven years (before returning to Michigan, my home state, to marry my high school sweetheart). I have also held leadership positions in several bar associations.

Educational Background: I am an honors graduate of Mona Shores H.S., Muskegon, Michigan (1974), Northwestern University, Evanston, Illinois (1978), and Cornell University Law School, Ithaca, New York (1981). I have taught seminars and classes to law students at Cornell, Seton Hall, Howard and Duke University.

References (Please list name and address): Alan J. Miller, Esq., General Counsel, INTERNET Corporation, 50445 Corporate Drive, Suite 200, Troy, MI 48068-2583. Mr. David J. Woodward, Chief Financial Officer, Talon Automotive Group, Inc. (Veltri Automotive), 900 Wilshire Drive, Suite 203, Troy, MI 48084.

Indicate REASONS FOR DESIRING TO SERVE: Though I'm a newcomer to Troy, I expect to stay there for many years and I consider civic service a duty. I have no local political aspirations but simply wish to contribute modestly.

Signature: _____

Patrick Daugherty

Michele Hodges

1169 Bedford, Grosse Pointe Park, MI 48230

Residence: 313/881-0523

Business: 248/641-0197

Email: mhodes4@aol.com

Career Summary:

Candidate possesses multi-faceted background in chambers of commerce, economic development, local government, the New Economy, and private sector. Proven track record most recently includes strategic development of technology-based economic development strategy, global new investment initiatives, and extensive marketing activity. Strong leadership is a hallmark with energetic, results-oriented style, and a keen business sense. Consensus building and collaboration, coupled with high personal expectations, are key values.

Experience & Accomplishments:

DETROIT REGIONAL CHAMBER (DETROIT REGIONAL ECONOMIC PARTNERSHIP)

Present Capacity: Director of Technology. **Past Capacities:** Senior Director of New Investment, Director of National Investment.

Key Duties: Creation of a *Technology-Based Economic Development Strategy* for ten-county Detroit Region; formation and leadership of Technology Task Force; oversight of National Investment Committee; oversight of all new investment markets (Asia, Canada, Domestic, Europe) including identification and coordination of new investment prospects and leads, mission planning (both foreign & domestic), and creation of marketing materials; committee chair for creation of Michigan Global Partnership; led creation of Detroit Regional Economic Partnership protocol for economic development activities; and numerous others.

February 1997 to April 2001.

CITY OF SOUTHFIELD, MICHIGAN

Executive Director of DDA & Business Development Team Member.

Key Duties: Promotion of economic health through coordination of redevelopment efforts, marketing activities, preparation of plans and technical reports, development of city wide business retention/attraction program, and cultivation of special interest groups.

Project Highlights: Redevelopment of two major office centers under DDA ownership; implementation of Tax Increment Financing; coordination and implementation of Economic Enhancement Strategy; and creation of *Southfield...Open for Business. You only have to knock once.* business retention/attraction program.

December 1994 to February 1997.

CITY OF EASTPOINTE, MICHIGAN

Director of Economic Development & DDA.

Key Duties/Projects: Coordinator of \$995,000 LTGO Bond Issue, \$1,000,000 Streetscape Project, Eastpointe Economic Development Alliance, business retention/recruitment, Community Development Block Grant and ISTEA programs, Michigan Site Reclamation Grant and Loan Program, and the Eastpointe Streetscape Guidelines.

June 1990 to November 1994.

CITY OF FARMINGTON HILLS, MICHIGAN

Planning Intern. June 1989 to September 1989 and December 1989.

MICHIGAN STATE UNIVERSITY

Resident Assistant. Fall 1998 to June 1990.

Formal Academia:

Bachelor of Science, Urban Planning. MICHIGAN STATE UNIVERSITY, East Lansing, MI. Graduated: June 1990.

Professional Development:

Economic Developers Institute. UNIVERSITY OF OKLAHOMA, Norman, OK. Graduated: August 1999.

LEADERSHIP OAKLAND VI. Graduated: May 1996.

Institute for Public Administration. CENTRAL MICHIGAN UNIVERSITY, Mt. Pleasant, MI. Graduated: June 1994.

Relevant Interests:

Some course work completed in French and German languages; sincere interest in and wide exposure to foreign cultures; extensive foreign and domestic travel undertaken for both personal and professional endeavors.

Affiliations:

Present: Digital Detroit (current board member); Michigan Economic Developers Association (current board member); Great Lakes Interactive Media Association (GLIMA); MEDC IT Roundtable; Michigan Bio-Technology Association; U-M Real Estate Forum Planning Committee; Michigan Business Incubator Association; Detroit Rotary Club; Detroit Regional Chamber Diversity Council; Eight Mile Boulevard Association (founding member); St. Veronica Parish Council (president); Pewabic Pottery; Detroit Institute of Arts; Preservation Wayne; Detroit Art Deco Society.

Past: American Economic Developers Council (AEDC); Southfield Chamber of Commerce (board of directors and economic development committee member); Southfield Rotary Club (president-elect); Detroit Economic Club; DDA Director Association; Michigan Development and Financing Association; International City Management Association; International Downtown Association; Eastpointe Chamber of Commerce (president); various SEMCOG committees; Eastpointe Kiwanis Club (first vice-president); and others.

Date: 10-29-01

Name (Mr/Mrs/Ms): NICK NAJJAR

Address: 41752- PONDVIEW

City/State/Zip: STERLING HTS-MI-48314

Phone: 810-997-3379

Employer: C-21 ASSOCIATES

Address: 3150 - LIVERMORE-Suite-175

City/State/Zip: Troy MI 48083

Phone: 248-260-0061

Registered voter in the City of Troy? Yes ☐ No ☒

How long have you lived continuously in the City of Troy? 2-Years

Have you ever been convicted for anything other than a minor traffic violation? Yes ☐ No ☒

Thank you for your interest in serving on an Advisory Board or Committee.

The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment.

The application will be kept on file for two years.

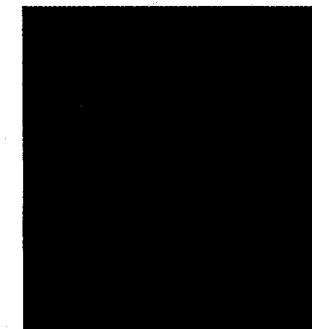
Number the advisory boards or committees for which you would like to apply for in the order of your preference: 1=first choice, 2=second choice, etc.

- Advisory Committee for Persons with Disabilities
- Advisory Committee for Senior Citizens
- Animal Control Appeals Board
- Board of Canvassers
- Board of Review
- Board of Zoning Appeals
- Brownfield Redevelopment Authority
- Building Code Board of Appeals
- CATV Advisory Committee
- Charter Revision Committee
- Civil Service Commission Act 78
- ☒ - Downtown Development Authority
- Economic Development Corporation
- Election Commission
- Historical Commission
- Historic District Commission
- Library Board
- Liquor Committee
- Municipal Building Authority
- Parks & Recreation Board
- Personnel Board
- Planning Commission
- Retirement System Board of Trustees
- Traffic Committee
- Troy Daze Committee

☐ **I do not wish to be reappointed**



City of Troy



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Comm
Appli



**City Clerk's Office
500 West Big Beaver
Troy, Michigan 48084
(248) 524-3316**

(Send Application to above Address)

F-11

Professional Qualifications and/or Work Experience: Real Estate Agent/Investor for 7 years (GRI)
Ranked #3 in the Great Lakes Region.

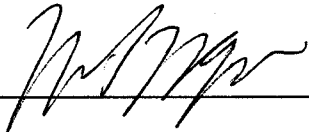
Community Activities and/or Other Experience: Member of the Macomb & Oakland County Board of Realtors
Member of Oakland County Political Affairs Committee, President of St. Joseph Catholic Church
Parish Council in Troy, Board Member of the Chaldean Federation of America, Executive Board
Member of Macomb County Democratic Party, Secretary of St. Michael Aid Society, Host of the local
Community TV. & Radio Program discussing Real Estate & Investment.
Educational Background: High School Graduate, Real Estate License for 7 years, Wayne State
University course training on how to run a profitable business.

References (Please list name and address): Father Sarhad Jarno - St. Joseph Catholic Church, 2442 E.
Big Beaver Rd. Troy, MI 48083. Carl Tallo, 41544 Red Oak Dr. Sterling Heights,
MI 48314 — Kathy Poon, 3150 Livernois, Troy, MI 48083

Indicate REASONS FOR DESIRING TO SERVE: I would like to serve the Troy Community along
with the Committee to improve and build-up the downtown area. With
my dedication and experience, I can help achieve Committee goals.

2001 OCT 30 PM 12:29

RECEIVED
CITY OF TROY

Signature: 

RECEIVED
CITY OF TROY

CITY OF TROY, MICHIGAN
APPLICATION FOR BOARDS AND COMMITTEES 12: 33

Thank you for your interest in serving on an Advisory Board or Committee. The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment. The application will be kept on file for two years.

Date: 11/12/01

Name: **Robert F. Rogowski**

Address: **3311 Medford Dr.**

City: **Troy, MI** Zip: **48084**

Home Phone Number: **(248) 637-9576**

Employer: **U.S. Attorney's Office**

Address: **211 W. Fort Street, Suite 2001, Detroit, MI 48226**

Phone: **(313) 226-9539**

Are you a registered voter in the City of Troy? **Yes**

How long have you lived continuously in the City of Troy? **3+ years**

Have you ever been convicted for anything other than a minor traffic violation?

No

Number the Advisory Boards or Committees for which you would like to apply:
(in order of preference - 1 = First Choice, 2 = second Choice, etc.)

☐ Advisory Committee for Persons with Disabilities

☐ Animal Control Appeals Board

☐ Board of Review

☐ Building Code Board of Appeals

☐ Charter Revision Committee

☐ Downtown Development Authority

☐ Election Commission

☐ Historic District Commission

☐ Liquor Committee

☐ Parks & Recreation Board

☐ Planning Commission

☐ Traffic Committee

☐ Advisory Committee for Sr. Citizens

☐ Board of Canvassers

☐ Board of Zoning Appeals

☐ CATV Advisory Committee

☒ **1** Civil Service Commission Act 78

☐ Economic Development Corporation

☐ Historical Commission

☐ Library Board

☐ Municipal Building Authority

☒ **2** Personnel Board

☐ Retirement System Bd. of Trustees

☐ Troy Daze Committee

☐ I do not wish to be reappointed.

F-1

Professional Qualifications and/or Work Experience:

22 years public sector administrative experience, the last 19 of which have been in the human resources management field.

Community Activities and/or Other Experience:

I current serve on three boards for the University of Detroit Mercy: Legal Assistant Program Advisory Board, Liberal Arts Council, and Titan Club Athletic Board. I am currently the Vice Moderator at the First Congregational Church of Royal Oak, and previously served on the FCC Board of Deacons and the Board of Christian Outreach. I have been a long-term volunteer for the Big Brothers/Big Sisters organization.

Educational Background:

**M.A., Public Administration, University of Detroit (1979)
B.A., Political Science, University of Detroit (1977)
DeLaSalle Collegiate High School, Detroit, MI (1973)**

References (Please list name and address):

**Michele A. Tomsho
Administrative Officer
U.S. Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226**

**Craig Lange
3301 Medford Dr.
Troy, MI 48084**

Please indicate REASONS FOR DESIRING TO SERVE:

To provide service to the local community; to broaden knowledge of personnel procedures and processes.

Signature: 

**PLEASE RETURN THIS APPLICATION TO: TROY CITY CLERK'S OFFICE
500 W Big Beaver Road
Troy MI 48084**

ROBERT F. ROGOWSKI
3311 Medford Drive
Troy, Michigan 48084
(248) 637-9576

EMPLOYMENT HISTORY

Human Resources Officer, United States Attorney's Office, 211 W. Fort Street, Detroit, MI 48226 (4/88 to present). Responsible for all internal personnel program matters, as well as related employee and managerial services. Scope of program includes: staffing and placement; classification and position management; employee benefits and services; performance management; pay administration; personnel action processing, records maintenance and associated legal reporting requirements; pre-appointment security clearances; overall monitoring of employee orientation, training and development; AA/EEO programs; discipline and adverse actions.

Personnel Management Specialist, VA Regional Office, 477 Michigan Ave., Detroit, MI 48226 (3/83 to 4/88). Served in advisory capacity to management in various personnel areas, including labor-management relations, position classification, employee training and development, records administration, benefits and staffing. Provided technical guidance to supervisors regarding adverse actions, grievances, and day-to-day application of negotiated agreement; prepared position descriptions and conducted classification surveys; identified training needs, presented courses, and implemented development program for new supervisors; coordinated performance evaluation and orientation programs; administered employee benefit programs, including retirement, workers' compensation, leave, incentive awards, life and health insurance.

Personnel Staffing Specialist, Veterans Administration Regional Office, Detroit, MI (2/82 to 3/83). Administered staffing program involving the recruitment and placement of professional, administrative, technical and clerical personnel. Interviewed job applicants, evaluated education/work experience of candidates; determined pay/benefits and other conditions of employment for individuals selected for appointment or promotion; administered internal merit promotion program; developed recruiting sources through liaison with schools and community groups and participation in job fairs; conducted job analysis studies, developed rating and ranking crediting plans, coordinated promotion panels.

Veterans Claims Examiner, Veterans Administration Regional Office, Detroit, MI (4/79 to 2/82). Performed quasi-legal work adjudicating claims filed by veterans and their beneficiaries in regard to education, compensation, pension, vocational rehabilitation and other VA entitlement programs.

Teaching Assistant, University of Detroit, 4001 McNichols Road, Detroit, MI 48221 (9/77 to 4/79). Assisted Political Science Department faculty members in teaching, administrative, and research tasks. Gave course lectures and led discussion groups; counseled and advised students; conducted tutorials; developed, administered and evaluated course assignments and examinations; wrote and processed computer programs in support of research efforts; organized seminars and workshops.

EDUCATIONAL BACKGROUND

Master of Arts in Public Administration, University of Detroit (8/79). Overall GPA of 3.90.

Bachelor of Arts in Political Science, University of Detroit (5/77). Overall GPA of 3.88; graduated Summa cum Laude. Member of Political Science Association (Chairperson) and the following honor societies: Pi Sigma Alpha (Chapter President), Alpha Sigma Nu, and Phi Eta Sigma.

***Civil Service Commission (Act 78)
Committee of 3***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>
Cannon, David C (Appointed by Mayor)	3339 Medford, 84	248-649-9308 (734) 525-2686 (Fax)	4/30/03	7/11/94
McGinnis, Donald E Jr (Police/Fire Repr)	1721 Crooks, 84	248-643-6002 (Work) 810-215-9000 (MOBILE) 248-643-4320 (Fax)	4/30/04	7/29/98
Sirotti, Gary A (Civil Service) (Resigned)	4032 Rouge Circle, 98	642-6747H 224-0809B	4/30/02	3/25/99

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Daugherty, Patrick	5512 Whitfield, 98	641-1849H 313-442-6495B	11/14/01 11/2003	11/19/01	
Easterbrook, David J	5595 Hunters Gate, 98	641-7063H 330-2305C	9/25/01 9/2003	10/01/01	
Kerwin, Mary	6392 Elsey, 98	879-7909H	9/21/01 9/2003	10/01/01	
Ziegenfelder, Peter	3695 Forge, 83	582-0237H 696-2277B	12/07/00 6/11/01	12/18/00 07/09/11	

***Downtown Development Authority
Committee of 12***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>
Carley, Garry G	Heathers Club 900 Upper Scotsborough Way Bloomfield Hills, 48304 Standard Federal 2600 W Big Beaver, 84	334-9770	9/30/01	9/13/93
Culpepper, Michael W	1236 Autumn, 98	952-1952H 391-3777B	9/30/04	8/16/99
Frankel, Stuart	3221 W. Big Beaver Ste 106, 84	649-2924	9/30/03	10/18/99
Goy, Philip	380 Tara, 98	879-2450	9/30/01	
Kennis, William	249 W Hurst, 98 100 W Big Beaver, Ste. 200, 84	879-6439 526-0576B	9/30/02	9/13/93
Kiriluk, Alan M	Kirco Development Corp 101 W Big Beaver Ste 200, 84	680-7180	9/30/04	9/13/93
MacLeish, Daniel	MacLeish Building, Inc 650 E Big Beaver Ste F, 84	524-3244	9/30/01	9/13/93
Maxson, Clarke B	1091 Oxford Birmingham MI 48009 Midwest Guaranty Bank 201 W Big Beaver Ste 125, 84	258-5734H 689-1200B	9/30/03	8/31/98
Price, Carol A	6136 Sandshores, 98	879-8695	9/30/03	9/13/93
Pryor, Matt	6892 Coolidge, 98	879-3896	9/30/02	4/23/01
Reschke, Ernest C	6157 Walker, 98	879-6033	9/30/02	
Schroeder, Douglas J	2783 Homewood, 98	879-2646H 689-6555B	9/30/02	12/07/98
York, G Thomas	221 St Lawrence Blvd Northville MI 48167 Forbes/Cohen Properties 2800 W Big Beaver, 84	827-4600B	9/30/04	11/15/99

RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

BOARDS/COMMITTEES OF TROY

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Alexander, Larry	4685 Rambling Dr., 98	952-5355H 313-202-1801B	6/12/01 5/2003	7/09/01	
Baughman, Deborah L	967 Muer, 84	362-3082H 313-961-8380B	3/29/01/6/18/01 5/2003	4/09/01 7/09/01	
Calice, Mark A	4235 Beach, 98	644-8310	6/97		Employee Retirement System
Chang, Jouky	3654 Boulder, 84	649-8237H 313-394-6941B	10/02/01 10/2003	10/15/01	
Daugherty, Patrick	5512 Whitfield, 98	641-1849H 313-442-6495B	11/14/01 11/2003	11/19/01	
Gleeson, John A	6186 Elmoor , 98	879-0797	2/19/99		Municipal Building Authority
Hall, Patrick C	5363 Clearview, 98	641-4765H 952-0400B	1/26/01 1/2003	2/05/01	
Hodges, Michele	1169 Bedford Grosse Point Park, Michigan 48230	313-881-0523H 248-641-0197	11/14/01 11/2003	11/19/01	
Hoef, Paul V	3671 Scott, 84	641-1358H 244-3521B	9/12/01 9/2003	9/17/01	
Howrylak, Frank J	3035 Newport Ct, 84	643-6653H 512-3110B	4/05/01	4/09/01	Board of Review
Huber, Laurie G	2794 Saratoga, 83	619-1487	6/18/01 5/2003	7/09/01	
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Victoria Lang	2700 Dashwood, 83	589-3304	7/09/01 6/2003	7/23/01	
Lin, Paul Chu	1599 Witherbee, 84	645-2187	5/22/00	6/05/00	Historic District
Milia, Carmelo	3911 Boulder, 84	643-0859	6/14/01 5/2003	7/09/01	
Najjar, Nick	41752 Pondview Sterling Hts 48314	810-997-3379H 248-260-0061B	10/30/01 10/2003	11/19/01	
Rocchio, James A	2810 Waterloo, 84	649-9612H 205-2748B	4/16/01	4/23/01	Economic DevelopmentCorp
Schultz, Robert M	883 Kirts Blvd, 84	362-2128	6/19/01 5/2003	1/22/01 7/09/01	

RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

BOARDS/COMMITTEES OF TROY

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Shah, Jayshree	4053 Drexel	952-5555H 810-986-3191	08/28/01 8/2003	9/17/01	
Silver, Neil S	3837 Edenderry, 83	680-0147	8/11/00 6/20/016/03	8/21/00 7/09/01	
Watkins, Patrick N	2638 Parasol, 83	689-1379H 810-574-7132	5/22/00 5/2003	6/05/00	
Wilberding, Bruce J	3762 Boulder, 84	649-3073H 680-0400B	8/05/99		Brownfield Authority
Wright, Wayne C	2515 Homewood, 98	641-7115H 810-775-7710B	1/07/99		Planning Commission

***Library Advisory Board
Committee of 5***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>	<i>TimeApplied Term Limits</i>
Cloyd, David	1737 Chatham, 84	643-7152H 313-226-8614B	4/30/03	3/29/99	3/29/99 3/20/00
Gaffney, Margaret	2467 London, 98	689-6735	4/30/02	2/20/89	3/29/99
Gladysz, Michael (Student)	4633 Riverchase, 98	641-0248H	12/31/01	3/05/01	
Gregory, Lynne R	2244 Niagara, 83	689-2623	4/30/04	4/21/89	4/23/01
Nelsen, Fern A	2567 Coral, 98	879-8045	4/30/02	4/30/84	3/29/99
Wheeler, Nancy D	5355 Beach, 98	641-8511	4/30/04	10/23/89	4/23/01

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

BOARDS/COMMITTEES OF TROY

<i>Interested Citizens</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Balagna, David J	1822 Wilmet, 98	619-1472H 649-7480B	2/02/00	2/00	Liquor Advisory Committee
Daugherty, Patrick	5512 Whitfield, 98	641-1849H 313-442-6495B	11/14/01 11/2003	11/19/01	
Gauri, Kul B	5305 Greendale, 98	680-0325	8/26/99		Advisory Comm for Personsw/Disabilities
Victoria Lang	2700 Dashwood, 83	589-3304	7/09/01 6/2003	7/23/01	
Nelson, Albert T Jr	5846 Clearview, 98	528-1111B	3/16/99		Personnel Board
Patel, Shreeti	43 Crestfield, 98	740-1231	10/24/00 10/2002	11/06/00	
Shah, Jayshree	4053 Drexel	952-5555H 810-986-3191	08/28/01 8/2003	9/17/01	
Solomon, Mark R	2109 Golfview, Apt 102, 84`	649-2018H 689-8282B	2/05/99		Charter Revision

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

***Parks and Recreation Board
Committee of 9***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>	<i>TimeApplied Term Limits</i>
Bordas, Douglas M	5902 Cliffside, 98	828-8940	9/30/02	1/08/96	10/04/99
Fejes, Kathleen	6475 Elmoor, 98	828-4361	9/30/04	9/26/92	10/15/01
Goetz, John F Jr	2539 Black Pine, 98	644-6744	9/30/03	1/31/77	9/25/00
Hauff, Gary School Representative	3794 Wayfarer, 83	689-3794	7/31/02	8/03/98	N/A
Jose, Lawrence	5581 Livernois, 98	879-9314	4/30/03	6/21/93	8/07/00
Kaltsounis, Orestes (Rusty)	6798 Jasmine, 98	828-8084	9/30/03	8/21/00	8/21/00
Krent, Tom	3184 Alpine, 84	649-4948	9/30/04	9/26/92	10/15/01
Lu, Lucy (Student)	1749 Freemont, 98	641-3860	7/01/02	10/01/01	
O'Brien, Robert J	6285 Brookings, 98	879-6575	9/30/02	8/27/97	10/04/99
Stewart, Jeffrey Troy Daze Repr	884 Hidden Ridge, 83	689-2074H 569-8454B	9/30/03	3/05/01	9/25/00
Anderson, Carol	Parks and Recreation Director	524-3484			

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

BOARDS/COMMITTEES OF TROY

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Daugherty, Patrick	5512 Whitfield, 98	641-1849H 313-442-6495B	11/14/01 11/2003	11/19/01	
Deel, Ryan J	22926 Roundtree, 83	252-4588H 357-6610B	5/17/01/6/25/01 5/2003	5/21/01 7/09/01	
Fischer, Joan	5246 Cameron, 98	641-8363	9/15/99/6/12/01 5/2003	7/09/01	
Gauri, Kul B	5305 Greendale, 98	680-0325	8/26/99		Advisory Committee Persons w/Disabilitie
Hrynik, Thomas F	2828 Orchard Trail, 98	642-4534	10/16/00 6/14/01/5/2003	11/06/00 7/09/01	
Huber, Laurie G	2794 Saratoga, 83	619-1487	6/18/01 5/2003	7/09/01	
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Kovacs, Meaghan	5621 Livernois, 98	879-5193H 262-6932B	1/08/01 1/2003	1/22/01	
Kuschinsky, Dick	5968 Whitfield, 98	641-7764H 313-496-2686B	10/11/01	11/05/01	Advisory Committee Persons w/Disabilitie
Victoria Lang	2700 Dashwood, 83	589-3304	7/09/01 6/2003	7/23/01	
Nixon, Jacques O	1035 Milverton, 83	524-1874	6/14/00	6/19/00	Historic Distric Commission
Noce, Robert W	2850 Orchard Trail, 98	540-1606	11/16/00	11/20/00	Charter Revision
Poulsen, Connie	1581 Picadilly, 84	816-9064H 641-2237B	8/17/01 8/2003	9/10/01	
Redpath, Stuart	1679 Greenwich, 98	641-7339H 879-0500B	7/26/00	8/07/00	Economic Development Corp
Walker, James	5356 Orchard Crest, 98	879-1223B	6/11/99 6/14/01 5/2003	7/09/01	
Wattles, Brian J	3864 Livernois, 83	689-1249	7/10/01 6/2003	7/23/01	Historical Commission
Wright, Wayne C	2515 Homewood, 98	641-7115H 810-775-7710B	1/07/99		Palling Commission

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**Personnel Board
Committee of 5**

Presently Serving Name	Address	Telephone Numbers	Term Expires	Original Appt Date	TimeApplied Term Limits
Nelson, Albert T Jr	5849 Clearview, 98	313-964-2360B 248-670-4859Cell	4/30/03	6/19/00	6/19/00
Patrick, Stephen Jr	5555 Whitehaven, 98	879-9710	4/30/01	5/19/80	3/20/00
Tavalin, Jonathan V	5345 Corbin, 98	952-5230	4/30/02	2/10/92	3/29/99
Tschirhart, Ronald L Sr	357 Tara, 98	879-7546	4/30/02	2/01/93	3/29/99
Vanderbrink, James E	6666 Whiting, 98	879-8870	4/30/03	8/13/84	3/20/00

Interested Citizens Name	Address	Telephone Numbers	Date Received	Sent To Council	Currently Serving
Baughman, Deborah L	967 Muer, 84	362-3082H 313-961-8380B	3/29/01 6/18/01 5/2003	4/09/01 7/09/01	
Daugherty, Patrick	5512 Whitfield, 98	641-1849H 313-442-6495B	11/14/01 11/2003	11/19/01	
Huber, Laurie G	2794 Saratoga, 83	619-1487	6/18/01 5/2003	7/09/01	
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Sak, Daniel M	1525 Greenwich, 98	952-5452H 952-5969B	5/19/00 5/2002	6/05/00	
Ziegenfelder, Peter F	3695 Forge Dr, 83	528-0237H 696-2277B	12/07/00 6/11/01 5/2003	12/18/00 07/09/01	

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

Troy City Clerks Office

500 West Big Beaver

Troy MI 48084

248 524-3316

November 19, 2001

TO: All recipients of the Boards and Committees Resume Book
FROM: Clerk's office
RE: Update process of Resume Book

We are in the process of verifying our records showing citizen interest in the Boards and Committees of the City of Troy.

Please **remove** the application and resume for the following person as he has responded that he is no longer able to serve in Troy, **or** they have not responded to our request for continuing interest to serving on a Troy Board or Committee, and their resumes are dated 1999 or before.

Paul J. Nicoletti

Thank you.

November 12, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Asst. City Manager/Services
Steven J. Vandette, City Engineer

SUBJECT: Addendum No. 2 for Preparation of Easement and Right-of-Way Documents, Long Lake Road Design Services Contract for Road Reconstruction, Carnaby to Dequindre, Projects: 92.203.5, 94.203.5

RECOMMENDATION

Staff recommends approving Addendum No.2 to the preliminary road engineering agreement between HRC and the City of Troy for consultant services for the preparation of Long Lake Road easement and right-of-way documentation, under the same terms and conditions as the preliminary road engineering agreement, for a not-to-exceed amount of \$37,253.73. We further recommend that the Mayor and City Clerk be authorized to execute the Addendum.

BACKGROUND

By Resolution #2000-206-E-10 (May 1, 2000), City Council approved a proposal by Hubbell, Roth & Clark, Inc. (HRC) for preliminary engineering of the Long Lake Road project. This approval provided for HRC to prepare preliminary and final right-of-way plans but preparation of property specific easement and right-of-way acquisition documents were not included. This has been our customary procedure since right-of-way needs are generally unknown until preliminary geometric plans are prepared. In those cases where the easement or right-of-way needs are few, Engineering and Real Estate and Development departments prepare documents in house or HRC prepares them at minimal cost without exceeding the design service contract amount. As the preliminary engineering on this project progressed, the needs list grew to 62 parcels. HRC was asked to prepare the documentation as the preliminary engineering progressed so that Real Estate and Development could proceed on a continuous basis with acquisitions. This was important in order to meet the 2002 construction schedule and obligations of the city bonds sold for this project.

The City's previous selection of HRC as the design consultant, Resolutions #99-568, #99-569, #99-570 and #99-571 for the project was based on the Michigan Department of Transportation's Consultant Selection Process, as is required for projects receiving federal transportation monies. The Brooks Act, PL 92-582 of 1972, underpins the MDOT Consultant Selection Process whereby

Qualifications Based Selection (QBS) is used for the procurement of architects and engineers. Since HRC was selected using this process, and is proceeding with design of the road project for construction in 2002, it is not necessary to repeat the selection process for this addendum.

BUDGET

Funds are available for preliminary engineering in the 2001-02 Major Road Capital budget, account number 401479.7989.922025 and 401479.7989.942035.

ADDENDUM No. 2 TO THE PRELIMINARY ENGINEERING AGREEMENT
LONG LAKE ROAD, CARNABY TO DEQUINDRE
PROJECT No. 92.203.5/94.203.5

This Addendum No. 2 to the Contract Documents, made this _____ day of November 2001, by and between Hubbell, Roth & Clark, Inc. (hereinafter referred to as "HRC"), and the City of Troy, (hereinafter referred to as "Troy").

WHEREAS, HRC has entered into certain Contract Documents, as approved by Resolution #2000-206-E-10 (May 1, 2000), with Troy, to provide design services for the work associated with the reconstruction of Long Lake Road, Carnaby to Dequindre; and

WHEREAS, the selection of HRC was in accordance with the Michigan Department of Transportation Consultant Selection process for preliminary engineering; and

WHEREAS, this selection provided for HRC to prepare preliminary and final right-of-way plans but preparation of property specific easement and right-of-way acquisition documents were not included;

NOW, THEREFORE,

IT IS HEREBY AGREED, that this Addendum No. 2 to the Preliminary Engineering Agreement between HRC and Troy for Preparation of Easement and Right-of-Way Documents as a part of the Long Lake Road, Carnaby to Dequindre project, Project No. 92.203.5/94.203.5, has been approved by Resolution # _____ at an estimated cost to the City of Troy not to exceed \$37,253.73.

Hubbell, Roth & Clark, Inc.

City of Troy
A Michigan Municipal Corporation

By _____

By _____

Its _____

Its Mayor

By _____

Its Clerk

PRINCIPALS

Gerald F. Knapp
Thomas E. Biehl
Walter H. Alix
George E. Hubbell
Peter T. Roth
Michael D. Waring
Keith D. McCormack
Curt A. Christeson

CHIEF FINANCIAL OFFICER
J. Bruce McFarland



HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS

ASSOCIATES

Frederick C. Navarre
Gary J. Tressel
Lawrence R. Ancypa
Kenneth A. Melchior
Dennis M. Monsere
Randal L. Ford
Timothy H. Sullivan
Thomas G. Maxwell
Nancy M.D. Faught
Jonathan E. Booth
Michael C. MacDonald
Marvin A. Olane
David P. Wilcox

October 8, 2001

City of Troy
500 West Big Beaver
Troy, Michigan 48084

Attention: Mr. William Huotari

Re: Long Lake Road
Carnaby to Dequindre

HRC Job No. 1990477.08

Dear Bill,

As we have discussed in the past, the City's request for a proposal to provide design services for this project did not include the work of preparing documentation for easement and right-of-way acquisition.

There are approximately 62 documents we prepared for both projects. At this time, we are substantially complete with this work and present the enclosed proposal for your consideration.

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

A handwritten signature in dark ink, appearing to read 'Nancy M. D. Faught', is written over the typed name.

Nancy M. D. Faught, P.E.

NF/hrc

Enclosure

pc: City of Troy; S. Vandette
HRC; W. Alix, File

DERIVATION OF COST PROPOSAL- RIGHT OF WAY DOCUMENTATION

Long Lake Road, Carnaby to John R

EDCF 63544, MASTP 2059(342), 36373C, UB 2037

City of Troy Project No. 94.203.5

HUBBELL, ROTH & CLARK, INC.**DIRECT LABOR**

Classification	Person Hours	x	Hourly Rate	=	Labor Costs
Project Manager/Associate	8		\$37.25		\$298.00
Staff Engineer	12		\$25.50		\$306.00
Senior Technician	8		\$22.25		\$178.00
Chief of Survey	10		\$30.00		\$300.00
Field Office Supervisor	2		\$27.00		\$54.00
Graduate Surveyor	32		\$23.00		\$736.00
Senior Survey Technician	10		\$21.75		\$217.50
Survey Technician	250		\$15.25		\$3,812.50
Total Hours	332		Total Labor		\$5,902.00

OVERHEAD

Total Labor x 135.01%	Total Overhead	\$7,968.29
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FACILITIES COST OF CAPITOL (FCC)

Total Labor x 1.20%	Total FCC Cost	\$70.82
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FIXED FEE

(Total Labor + Total Overhead) x 14%	Total Fixed Fee	\$1,941.84
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TOTAL COSTS	\$15,882.95
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DERIVATION OF COST PROPOSAL- RIGHT OF WAY DOCUMENTATION

Long Lake Road, John R to Dequindre

EDCF 63544, 38856C, RR0643, DSTP 9563(030)

City of Troy Project No. 94.203.5

HUBBELL, ROTH & CLARK, INC.

DIRECT LABOR

Classification	Person Hours	x	Hourly Rate	=	Labor Costs
Project Manager/Associate	12		\$37.25		\$447.00
Staff Engineer	30		\$25.50		\$765.00
Senior Technician	20		\$22.25		\$445.00
Chief of Survey	18		\$30.00		\$540.00
Field Office Supervisor	4		\$27.00		\$108.00
Graduate Surveyor	40		\$23.00		\$920.00
Senior Survey Technician	10		\$21.75		\$217.50
Survey Technician	295		\$15.25		\$4,498.75
Total Hours	429		Total Labor		\$7,941.25

OVERHEAD

Total Labor x 135.01%	Total Overhead	\$10,721.48
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FACILITIES COST OF CAPITOL (FCC)

Total Labor x 1.20%	Total FCC Cost	\$95.30
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FIXED FEE

(Total Labor + Total Overhead) x 14%	Total Fixed Fee	\$2,612.78
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TOTAL COSTS	\$21,370.81
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November 13, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Gert Paraskevin, Information Technology Director

Subject: Sole Source - Authorization To Purchase Hansen Information Technologies
Infrastructure Management And Water Billing System.

Recommendation

Per Council's previous approval, administration has negotiated for and now recommends the City purchase an enterprise-wide Infrastructure Management and Integrated Water Billing System from Hansen Information Technologies, for an estimated total cost of \$683,375 and \$70,110 annual maintenance and support. In addition, a new server will be purchased from Compaq on the Regional Educational Media Center Association of Michigan (REMC) contract for \$12,000. Microsoft Windows Advanced Server 2000 operating system and SQL Server database software will be purchased from EDS on the State of Michigan Extended Purchasing Agreement for \$15,100. See Appendix C for detailed pricing. The funds for this system would come from the Information Technology and Water Department budgets. The purchase price includes installation, training, data conversion, interfaces and the following software: Customer Service (citizen request), Water Billing, Inventory Management, Street Management including signage, Parks Management, Water Infrastructure Management, Storm Water Infrastructure Management, Sewer Infrastructure Management, Pavement Management, Building Management, Work Orders, Licensing, and GIS Integration.

Additional Information

As a result of Council action on June 4, 2001, resolution 2001-06-298, administration has negotiated price and terms with Hansen Information Technology. During these negotiations Hansen did concede on several items including the following:

- 15 % discount on all software license fees (originally offered 10%)
- Reduced Training costs by \$200 per day
- Reduced Project Management fees by \$100 per day
- Increased number of Enterprise licenses from 48 to 68
- No payments for the Water Billing system until it has met City of Troy benchmarks
- Inclusion of a Favored Nations clause

As a result of these negotiations, and after reviewing Hansen pricing from three other cities, administration feels they have achieved the best price and terms possible at an estimated

To: The Honorable Mayor and City Council

Re: Sole Source – Purchase of Hansen Management System

cost of \$683,375 and annual maintenance of \$70,110. When the request to negotiate originally came to Council the estimated price was \$600,000. Since administration could not engage Hansen in very detailed pricing discussions until given permission by Council to do so, the initial price was incomplete. It did not include services for interfaces and data conversion. Once discussions began the new estimate including all required services was \$736,650. As a result of our negotiations the total cost decreased \$53,275.

Background

In 1999 an Infrastructure Management Sub-committee was formed. It was composed of members representing the various departments of the City of Troy. This committee compiled a list of specifications, and then research was carried out to find vendors meeting all those requirements. Hansen Information Technologies out of Sacramento, California was the only vendor to meet all requirements. Specifically, they were the only vendor that had all the systems we needed. An integrated water billing system was the key application that other vendors could not offer. Having an integrated system reduces the amount of duplication of effort and data and the need for interfaces. It provides a seamless flow of data between applications and makes training and support much simpler.

Further investigation into Hansen has identified an impressive customer base. See Appendix A for a copy of their client directory. Contact with other municipalities that are using Hansen software has provided glowing references. As part of the City's due diligence to ensure that Hansen met our needs, several demonstrations were performed for city staff resulting in positive evaluations. In addition, the week of April 16, 2001, site visits to two Hansen clients were performed by a team of key personnel from the Department of Public Works and Information Technology Department, to verify the successful implementation of the Hansen Software.

The implementation of a PC based Infrastructure Management System would provide the following advantages to the City:

1. Compliance with GASB 34 (See Appendix B). In the future the ability to accurately report on assets including their maintenance and repair will be a necessity.
2. Will provide a "one stop shop" of information pertaining to a citizen's requests. Anyone will be able to review information about calls, inspections, work orders, and assets related to a particular address from one screen.
3. One fully integrated system shared by all, thus eliminating duplication of data and effort. Currently many departments maintain the same information in their own separate systems. Some of these systems are homegrown Microsoft Access applications, while others are DOS based systems that are obsolete, and their vendors are no longer in existence or no longer provide support.

To: The Honorable Mayor and City Council

Re: Sole Source – Purchase of Hansen Management System

4. Immediate access to data for all departments. Having one centralized and managed system allows controlled access to existing data for all departments, not just the department managing the asset. For example, it is very important that the Law and Risk Management Department have access to maintenance and inspection records. These are currently only available in hard copy if at all.
5. Routine & Preventive Maintenance Scheduling. These activities when scheduled appropriately prolong the life of the city's assets. In addition, prioritizing infrastructure cleaning and repair would aid in controlling maintenance and construction costs.
6. The City's pavement management activities will also dramatically benefit from the advanced pavement quality modeling and capital improvement tools in the Hansen Software, to perform "what if" scenarios. These can be established to test the impact of various factors on multi-year, system-wide performance and maintenance costs. Each scenario can have its own planning time line, budget estimates, maintenance activities and performance model associated. The clear benefit is that the results from numerous scenarios can be compared and the most cost-effective scenario adopted for implementation.
7. Activity-Based Costing allows specific activities to be cost allocated in detail if desired. For example the labor, materials and equipment costs could be tracked to a specific incident reported by a resident.
8. One standard citizen request for service system. Historically, each department has developed their own system of recording calls from residents. Once again these systems are varied and do not communicate with each other. When a resident calls an electronic record or a paper trail sometimes follows, but there is currently no way to report on all the issues that the city handles. Hansen offers a powerful tool to quickly and more effectively respond to citizen requests and effectively log citizen's calls. The customer service module also helps eliminate unnecessary duplication of work orders (resulting from several calls) by allowing personnel to cross reference service calls by address, area, problem, and a number of other criteria.
9. An electronic system would consolidate City records, thereby facilitating and expediting FOIA requests.
10. The GIS interface will allow the graphical display of any information in the Hansen System, identifying trends and areas of concern, as well as aid in carrying out maintenance and inspection efforts.
11. An integrated Water Billing System will replace our legacy system. It is currently running on the AS/400 and has reached its limit as far as functionality. The PC based system provided by Hansen exists in the standard windows point and click environment, and is much more robust offering such things as better control over the printing of bills, and improved inquiry and reporting capabilities. In addition, it is integrated with work orders, meter readings and meter exchanges. Any chargeable items could flow directly into the billing system.

Page 4 of 4

To: The Honorable Mayor and City Council

Re: Sole Source— Purchase of Hansen Management System

Summary

It is recommended that the City purchase and implement Hansen Information Technologies Enterprise-wide Infrastructure Management and Integrated Water Billing System along with the additional server hardware and software required. This purchase will provide the city a number of advantages including a standardized asset management system that will reduce duplication of effort and provide better access to information. This combined with a city-wide customer service interface allowing staff to better process and report on resident requests, will help to improve the internal processes of the city and as a result improve city services.

Budget Impact

Funds are budgeted in the Information Technology Capital Fund, 401258 and Water Department capital account, 591.7980.020.

Appendix A

Hansen Software Partial Client Directory

Customer	State or Country	# Users	Billing	Building	Complex	Cust Serv	Fieldworks	GIS	Land Mgmt	Parks	Permits	Plant/Fleet	Roadway	Sewer	Storm	Street	Water
Albany	OR	8				X	X	X						X	X		X
Atlanta	GA	35			X	X		X		X		X		X		X	X
Aurora	CO	6				X						X					X
Baton Rouge	LA	10				x								x			
Bellingham	WA	41		X	X	X	X	X		X		X		X	X	X	X
Beverly Hills	CA	3				X		X							X	X	X
Bexar Metro Water District	TX	22	X			X						X					X
Blue Springs	MO	7				X						X		X			
Blue Springs	MO	7												X	X		X
Boca Raton	FL	N/A												X			X
Brampton, Ontario	Canada	Ent.			X	X		X		X		X		X	X	X	X
Burnaby, British Columbia	Canada	40			X	X		X		X		X	X	X	X	X	X
Caltrans	CA	1600											X				
Cambridge	MA	60		X	X	X		X		X	X	X		X		X	X
Castro Valley Sanitary Dist.	CA	3				X						X		X			
Cerritos	CA	36			X	X		X		X	X	X		X	X	X	X
Charlotte	NC	30				X		X				X			X	X	
Coastside Water	CA	1										X					X
Cobb County	GA	25				X						X		X	X		X
Columbia	MO	7				X									X	X	
Dayton	OH																
El Dorado Irrigation District	CA	8				X	X					X		X			X
Fredrick	MD	30				X						X		X	X	X	X
Ft. Lauderdale	FL	25		X		X						X		X	X	X	X
Gastonia	NC	54				X		X			X	X		X	X	X	X
Glendale	AZ	10				X	X	X				X		X		X	X
Greensboro	NC	11				X						X			X	X	
Hamilton-Wentworth, Ontario	Canada	44		X		X								X	X	X	X
Hertfordshire County	UK												X				
Incline Village	NV	1				X						X					
Indianapolis (GIS)	IN	36				X	X	X				X		X	X	X	
Indianapolis (Public Works)	IN	36				X	X	X				X		X	X	X	
Kansas City	MO	27				x						x		x			X
Kansas City	MO	27				X						X		X			x
Kent	WA	13				X	X					X		X	X	X	X
Lake County	IL	45				X		X	X		X						
Lebanon	PA	6	X			X		X				X		X		X	X
Leon County	FL	5				X						X	X			X	
Lincoln	NE	8				X						X					X
Lodi	CA	1										X					
Louisville MSD	KY	50				X		X				X		X	X		
Martin County	FL	38		X	X	X				X		X	X	X	X	X	X
McClellan Airforce Base	CA	1		X		X	X	X		X		X		X	X	X	X
Melbourne Water Corp.	AUS	360				X				X		X		X	X		X
Midwest City	OK	7				X						X		X		X	X

Customer	State or Country	# Users	Billing	Building	Complex	Cust Serv	Fieldworks	GIS	Land Mgmt	Parks	Permits	Plant/Fleet	Roadway	Sewer	Storm	Street	Water
Mississauga, Ontario	Canada	ent.			X	X		X		X	X	X	X	X	X	X	X
Moncton, New Brunswick	Canada	40		X	X	X				X		X		X	X	X	X
Monterey	CA	9				X						X		X		X	
Montgomery County	MD									X		X		X			
Moore	OK	4				X					X						
Mount Prospect	IL	3				X						X		X			X
Myrtle Beach	SC	5				X						X		X			X
Napa Sanitary District	CA	3				X						X		X			
New Castle County	DE	625	X	X	X	X		X	X	X	X	X	X	X	X	X	
Norfolk	VA	49				X		X				X	X	X		X	X
North Tahoe PUD	CA	3				X				X		X		X			X
NY DEP	NY	ent.				X		X				X		X	X		X
Oklahoma Turnpike	OK	15			X							X				X	
Ontario Clean Water Agency	Canada	ent.			X	X		X		X		X		X	X		X
Oxnard	CA	3				X						X					X
Placer County	CA	4				X	X	X				X		X			
Pleasant Prairie, Village of	WI	13				X			X		X	X		X	X	X	X
Polk County	FL	40		X	X	X				X		X	X	X	X	X	
Portland	ME	20	X			X						X		X			X
Providence	RI	24				X						X					X
Reg. Mun. of Peel, Ontario	Canada	ent.			X	X				X		X		X	X	X	X
Reg. Mun. of Waterloo, Ontario	Canada	20				X		X				X	X			X	
Richmond, British Columbia	Canada	42		X	X	X				X		X	X	X	X	X	X
Rogers Water Utilities	AR	8				X						X		X			X
Roseville	CA	32			X	X				X		X		X	X	X	X
Sacramento DOT	CA	40				X		X					X			X	
Salem	OR	16	X			X						X		X	X	X	X
San Diego County	CA	25				X		X					X	X	X	X	
San Jose	CA	8				X						X		X	X	X	
San Leandro	CA	17		X	X	X				X		X		X	X	X	
San Luis Obispo	CA	4				X								X			X
San Mateo County	CA	8				X						X		X		X	X
Santa Clara	CA	7				X						X		X	X		X
Santa Paula	CA	5				X				X		X		X	X	X	X
Sioux Falls	SD	5				X						X				X	
Squaw Valley	CA	1				X						X		X			X
St. Louis MSD	MO	90				X						X		X	X		
St. Louis MSD	MO	90				X				X				X			
Stafford County	VA	36				X					X	X		X			X
Tempe	AZ	12				X						X		X	X	X	X
Toledo	OH																
Topeka	KS	16				X						X		X	X		
Toronto, Ontario	Canada	29				X		X		X		X		X	X	X	X
Tulsa	OK	60				X		X			X			X	X		X
Union Sanitary Dist.	CA	10				X						X		X			
Vallejo	CA	20				X				X		X		X	X	X	X
Virginia Beach	VA	56				X						X		X	X	X	X
West County WW	CA	9				X						X		X			
Windsor, Ontario	Canada	16				X						X		X	X	X	
York County	VA	17				X		X			X			X	X		X

Appendix B

The new GASB (Governmental Accounting Standards Board) Statement 34 requirements for reporting of infrastructure assets is being called the single most significant change to the way governments report their financial condition. It is estimated that the new financial reporting model will affect over \$5 trillion of state and local government assets. State and local governments spend \$140-\$150 billion a year in the construction, improvement and rehabilitation of capital assets, such as bridges, streets and sewers. The Governmental Accounting Standards Board (GASB) saw a need for change to mandate municipalities to more effectively manage their infrastructure. Thus the GASB Statement No. 34, which requires governments to include for the first time information about their public infrastructure assets. Current reporting methods do not accurately reflect how much governments borrow and spend on infrastructure assets, and if those assets are being adequately maintained. GASB's intent is to increase government's accountability in financial reporting and provide additional information for decision-making and increased efficiencies. GASB Statement 34 will have a direct impact on every agency, regardless of size.

Compliance with GASB Statement 34 will require governments to make a number of important changes to their financial statements. The most significant of those changes are as follows.

- **Infrastructure Reporting:** GASB Statement 34 will require that all capital assets, including general infrastructure assets, be capitalized in the financial statements at their historical cost or estimated historical cost. Furthermore, this requirement, as a rule, will apply retroactively to major general infrastructure assets that were acquired in fiscal years beginning after June 15, 1980, or that received major renovations, restorations, or improvements since that date.
- **Depreciation Accounting:** Governments will be required under the new financial reporting model to report depreciation expense for all of their capital assets, including general infrastructure assets, in the government-wide financial statements. Governments, however, can avoid the mandate to depreciate infrastructure assets if those assets 1) are managed using an Infrastructure management system meeting certain specifications set forth in GASB Statement 34, and 2) the government documents that those assets are being preserved at (or above) a condition level established and disclosed by the government. To elect this option, a government would have to perform regular condition assessments of its infrastructure assets at least every three years and disclose information on condition levels, as well as anticipated and actual maintenance outlays.

Large governments, \$100 million plus in revenue, must comply in the first fiscal year ending after June 15, 2001. Medium-sized governments, \$10 to \$100 million in revenue, must comply in the first fiscal year ending after June 15, 2002. Small governments, under \$10 million in revenue, must comply in the first fiscal year ending after June 15, 2003

The City of Troy is considered a Medium-sized government under the definition set forth by the Governmental Accounting Standards Board, \$10 to \$100 million in revenue, and must start the compliance procedures in the first fiscal year ending after July 1, 2002.

Appendix C

Detailed Pricing

Hansen Information Technology

Infrastructure Management, Customer Service and Water Billing	
68 Enterprise Licenses	
<u>Cost Break Down by Category</u>	Cost
Software	\$336,075
Services	309,300
Training	38,000
Total:	\$683,375
Annual Maintenance	\$70,110

EDS State Contract

Description	Cost
SQL Server 2000 Standard Edition	\$10,900
Microsoft Windows 2000 Advanced Server Edition	4,200
Total	\$15,100

REMC Contract

Compaq Server

Description	Cost
DL380 Pentium III 1GHz processor with 1GB memory, 9GB mirrored system drive, 3 36GB drives in a raid 5 configuration, dual power supplies	\$12,000

October 30, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Bid Waiver and Authorization to Hire Real Estate
Consultant for Appraisal and Acquisition Work – Proposed Widening
of Long Lake Road – Carnaby Street to Dequindre Road

The Road Commission for Oakland County and the City of Troy propose to widen Long Lake Road from Carnaby Street to Dequindre Road. The existing two- to four-lane road will be widened to five lanes. Our Engineering Department is waiting for the State's approval of the Environmental Impact Statement and authorization to acquire right-of-way. The property owners cannot be contacted until we have that authorization, but we are still hoping to acquire the right-of-way by February of 2002.

For the past 20 years City employees have done all of our acquisition work. Staff has been reluctant to use outside consultants because acquisition is one of the most sensitive aspects of a project and it involves direct personal contact with the property owners affected by the projects. Yet it is imperative that we acquire property interests expeditiously to facilitate the construction schedules. The State's authorization to acquire right-of-way has been delayed while they review possible adverse effects that this project may have on property of possible historic significance.

While we have successfully used independent fee appraisers for many of our projects, this time we propose a pilot project to hire a real estate consultant for appraisal and acquisition work. Due to the limited amount of time and the number of other projects currently being worked on, staff believes the use of a consultant will help meet the deadlines for this project. Staff believes this project lends itself as a pilot project because while there are no full acquisitions, the project still requires a great deal of man hours in the acquisition of property rights from 44 owners.

Attached is a proposal from Kenneth W. Whinton, Real Estate Consultant. Mr. Whinton is retired from MDOT's Real Estate Division and has many years of experience in this area. Mr. Whinton's base proposal totals \$63,800 based on the use of a market study, rather than individual appraisal reports, for minor acquisitions (a process frequently used by the State). In addition, he estimates that there may be 5-10 parcels that will require individual appraisal reports and reviews

at an estimated cost of \$2,000 per parcel. Any outside appraisers used would be from the State's approved list of qualified appraisers. An incentive is included for early completion of up to 10% (\$8,380). With this pilot project, staff will analyze carefully the advantages and disadvantages of outsourcing acquisition work and determine if outsourcing is desirable in the future.

Management requests a bid waiver because of the short period of time available, the sensitive nature of property transactions and the need to follow federal guidelines. Very few private professionals have an extensive background in public purchase of right-of-way and the proper attitude and demeanor to represent the City in these types of transactions. Mr. Whitenton is known by staff to possess both characteristics.

In order to expedite this process, the Real Estate and Development Department requests authorization to hire the needed professional work, not to exceed \$92,180 (\$63,800 base, \$20,000 for appraisal reports and up to \$8,380 for early completion).

Funds for this are available in the Long Lake, Carnaby to John R (Project No. 94.203.5) and Long Lake, John R to Dequindre (Project No. 94.203.5).

cc: Steve Vandette, City Engineer

Kenneth W. Whitenton

Real Estate Consultant

Appraisal - Acquisition - Relocation

6240 Cramlane Drive

Clarkston, MI 48346

Telephone (248) 6252228

Pager (248) 323-1482

October 29, 2001

Patricia A. Petitto, Senior Right of Way Representative
City of Troy
500 West Big Beaver Road
Troy, MI 48084

BID PROPOSAL: Appraisal & Acquisition Services - 44+/- Parcels
City of Troy - Long Lake Road - Reconstruction (Carnaby to Dequindre)

Dear Ms. Petitto:

I am hereby submitting the bid proposal for completion of all appraisal & acquisition services involved with the captioned project. This estimate includes the performance of all necessary procedures to insure that the appraisals, appraisal reviews and negotiations with the property owners have been accomplished in the manner prescribed by Federal Highway Administration Guidelines and the regulations of the Michigan Department of Transportation.

The process of acquiring the necessary right-of-way for this project includes the following sequence of activities that will be carried out by the acquisition team:

- Preparation of all acquisition documents including Grading and Temporary Construction Permits, Permanent Easements and Purchase Agreements.
- Interviews with all impacted owners to discuss the project and disseminate information regarding required right-of-way, proposed schedule of project, responses to questions and concerns, etc.
- Research of the provided information needed to prepare market studies to form the basis of the compensation offer to the property owner. Completion of a market study for those parcels that are subject to minor acquisitions.
- Obtain from an independent fee appraiser an appraisal report for each parcel that will be more severely impacted by the project or where it appears that the owners will be resistant to the project.
- Critical review and approval of all market studies and individual appraisal reports insuring compliance to the standards of FHWA and USPAP.
- Review the approved appraisal reports to familiarize the negotiator with the basis of the compensation offer in preparation of negotiations with the property owners.
- Owner contact and initiation of negotiations.
- Meet with owners to discuss the project, make the compensation offer and provide all information and documentation necessary to meet State and Federal requirements.
- Follow up calls to clarify all property owner questions, resolve problems and finalized the negotiation process.
- Complete the completed parcel package for submission to the City for closing, or to the City Attorney for litigation of Condemnation proceedings. This will be accomplished within 90 days from the date of authorization to begin and receipt of all necessary documentation.
- Follow up calls to respond to problems, inquiries about closing process, title problems, etc. The negotiations and submission of the closing package or unsecured report.

The estimate of fees to complete this assignment are based upon the completion and use of a Market Study for approximately 35-40 of the parcels, but does not include the cost of individual appraisal reports for 5-10 parcels. The costs for the individual appraisal reports and reviews are estimated at \$2,000 per parcel as a pass-through cost to the City thus the total estimate could increase dependent on the number required.

The following personnel have committed to this assignment pending approval of the proposal. All are highly qualified and are very experienced in completing this type of real estate acquisition work. Additional personnel will be added, if necessary, as the project evolves and authorization is received.

Kenneth W. Whitenton, Steven Petrucci and Linda Richardson

In addition to the identified steps of the appraisal and negotiation process the bid proposal provides for oversight to insure that a good faith effort is made to acquire all parcels through negotiation, scheduling of the work to assure compliance with the compressed time frames required by the project deadlines and compliance with all Federal and State regulations.

The bid proposal for completion of this assignment is based upon a cost of:

One Thousand Four Hundred and Fifty Dollars (\$1,450) per parcel.

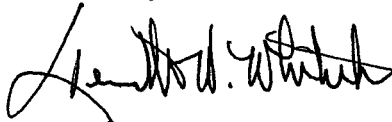
Total: Sixty-Three Thousand, Eight Hundred (\$63,800)

An incentive award of 10% will be added to the per parcel proposal fee of \$1,450 for each parcel package that is submitted 45 or more days prior to the 90 day due date. An incentive award of 7.5% will be added to the per parcel proposal fee of \$1,450 for each parcel package that is submitted 30-44 days prior to the 90 day due date. An incentive award of 5% will be added to the per parcel proposal fee of \$1,450 for each parcel that is submitted on the due date and 29 days prior to the 90 day due date.

If this contract is not completed by the due date, a penalty of 2% per work week will be applied to each parcel package for each week that the parcel package is not completed after the due date.

Thank you for the opportunity to be of service to you and to the City of Troy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth W. Whitenton', written in a cursive style.

Kenneth W. Whitenton

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager-Finance and Administration

RE: 2001-02 Budget Amendment No. 1

DATE: November 13, 2001

Upon completion of the annual audit it has become customary to present City Council a budget amendment reconciling capital projects and outstanding purchase orders as of the end of the fiscal year. The attached amendments are for capital items that were included in the 2000-01 budget that were in various stages of completion at June 30, 2001. **Please note that the attached amendments are not for projects coming in over budget.**

The amendments marked with an (*) are for outstanding purchase orders as of June 30, 2001.

The other amendments are a result of reconciling June 30, 2001 actual capital expenditures to those projected by department heads during the 2001-02 budget process.

Some of the major capital expenditures requiring amendments are:

- Major road projects – Livernois, Big Beaver
- Local road projects in various stages of completion
- Vehicle purchases on order
- Fire Apparatus on order

It is requested that the attached budget amendment be approved.

2001-02 BUDGET AMENDMENT NO. 1

	<u>CURRENT BUDGET</u>	<u>AMENDMENT</u>	<u>AMENDED BUDGET</u>
<u>CAPITAL PROJECTS FUND</u>			
REVENUE:			
BOND PROCEEDS	\$ 10,174,000	\$ 9,700,000	\$ 19,874,000
FUND BALANCE			
RESERVE FOR ENCUMBRANCES	1,653,605	(1,653,605) *	-
UNRESERVED, UNDESIGNATED	2,959,744	(682,531)	2,277,213
PROJECT COMMITMENTS	2,815,079	<u>(2,815,079)</u>	-
TOTAL AMENDMENT TO REVENUE		<u>\$ 14,851,215</u>	
EXPENDITURES:			
INFORMATION TECHNOLOGY			
COMPUTER EQUIPMENT	\$ 320,500	\$ 110,177 * \$	-
		43,000	473,677
COMPUTER SOFTWARE	440,000	613 *	
		75,000	515,613
COMPUTER CONSULTING	553,000	44,379 *	
		240,000	837,379
COMPUTER SERVICES	-	7,895 *	7,895
PLANTE & MORAN	-	12,132 *	12,132
		<u>533,196</u>	
CATV			
EQUIPMENT - GENERAL	75,000	68,070 *	
		74,000	217,070
		<u>142,070</u>	
POLICE			
COMMUNICATIONS			
EQUIPMENT - GENERAL	184,620	53,612 *	238,232
FIRE			
BUILDINGS & IMPROVEMENTS	27,000	1,710 *	
		140,000	168,710
APPARATUS REPLACEMENT	435,000	462,000 *	
		80,000	977,000
		<u>683,710</u>	
PLANNING			
COMPUTER SOFTWARE	10,000	10,000	20,000
MASTER PLAN BROCHURE	15,000	2,000	17,000
		<u>12,000</u>	

	CURRENT BUDGET	AMENDMENT	AMENDED BUDGET
PUBLIC WORKS			
LAND IMPROVEMENTS	\$ 135,000	\$ 28,647 * 41,000	\$ - 204,647
BUILDINGS & IMPROVEMENTS	470,000	4,500 *	474,500
MAJOR ROADS	22,753,650	418,033 * 9,883,160	33,054,843
LOCAL ROADS	1,428,080	541,000	1,969,080
DRAINS	906,000	3,266 * 175,000	1,084,266
SIDEWALKS	1,297,930	20,635 *	1,318,565
TRAFFIC SIGNALS	300,000	141,000	441,000
		11,256,241	
ENGINEERING			
AERIAL PHOTOGRAPHY	-	17,812 *	17,812
PARKS AND RECREATION			
ADMIN. - EQUIPMENT - GENERAL	59,000	\$ 276,780 *	335,780
PLANNING & PARK DESIGN	200,000	9,150 * 63,000	272,150
GARAGE RENOVATION	55,000	85,000	140,000
COMM. CENTER - ANNEX RENOV.	50,000	31,321 *	81,321
PARK DEVELOPMENT	2,300,000	15,437 * 814,000	3,129,437
MUNICIPAL GROUNDS	758,000	22,669 * 126,000	906,669
SECTION ONE GOLF COURSE	-	500 * 1,443,857	500
MUSEUM			
HISTORIC GREEN DEV.	210,000	210,000	420,000
BUILDINGS & IMPROVEMENTS	242,500	33,683 * 152,000	428,183
		395,683	
CITY HALL			
OFFICE RENOVATION	-	484 * 68,000	484 68,000
		68,484	

	CURRENT BUDGET	AMENDMENT	AMENDED BUDGET
LIBRARY			
EQUIPMENT - OFFICE	\$ -	\$ 100 * 45,000	\$ - 45,100
CARPET/TILE REPL.	-	10,000 *	10,000
GENERAL REPAIRS	450,000	189,450 <u>244,550</u>	639,450
TOTAL AMENDMENT TO EXPENDITURES		<u>\$ 14,851,215</u>	
<u>SYLVAN GLEN FUND</u>			
REVENUE:			
FUND BALANCE	\$ 4,457,419	\$ (21,000)	\$ 4,436,419
TOTAL AMENDMENT TO REVENUES		<u>\$ 21,000</u>	
EXPENSES:			
LAND IMPROVEMENTS	\$ 133,000	\$ 21,000 *	\$ 154,000
TOTAL AMENDMENT TO EXPENSES		<u>\$ 21,000</u>	
<u>MOTOR POOL FUND</u>			
REVENUE:			
FUND BALANCE	\$ 6,976,353	\$ (211,017)	\$ 6,765,336
TOTAL AMENDMENT TO REVENUE		<u>\$ 211,017</u>	
EXPENSES:			
SHOP EQUIPMENT	\$ 13,750	\$ 6,872 *	\$ 20,622
VEHICLES	1,311,300	204,145 *	1,515,445
TOTAL AMENDMENT TO EXPENSES		<u>\$ 211,017</u>	

Amendment requested to provide funds for outstanding purchase orders at June 30, 2001, to reconcile capital projects in various stages of completion at June 30, 2001.

Approval:
Council Resolution #01-
Date:

November 12, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
William Need, Public Works Director
Steven J. Vandette, City Engineer

SUBJECT: Sturgis Drain Study for Determining New Base Flood Elevation and
Chronology of Single Family Lot Development Request from Mr. Michael
Kochanski, Parcel No. 201-15-376-025

RECOMMENDATION

Staff recommends proceeding with a study by Hubbell, Roth and Clark, Inc. to determine a new base (100 year) flood elevation for the Sturgis Drain north of Wattles road for a not to exceed amount of \$49,756.

The need for this work is a result of the completed Fredericks Drain along Long Lake Road and the storm sewer project along Livernois and Wattles roads as part of the Livernois Road project. We believe that as a result of these projects, the peak storm runoff along this section of the Sturgis Drain has likely been reduced and would also reduce the floodplain and floodway limits in the area. A reduction in the limits could result in additional properties, including property owned by Michael Kochanski on Evaline, to be developed. Currently, Mr. Kochanski's property cannot be developed due to the floodway encompassing the entire property. Once the study is complete a Letter of Map Amendment would be requested from the Federal Emergency Management Agency (FEMA). Based on similar requests HRC has processed for other cities, the process could take up to a year to complete.

BACKGROUND

In 1996 Mr. Kochanski received a permit from the Michigan Department of Environmental Quality (MDEQ) to construct 2 homes within the 100-year floodplain on Evaline Street. His permit allowed him to place approximately 415 cubic yards of fill material and construct two houses within the 100-year floodplain of the Sturgis Drain. The permit did not authorize any work within 30 feet of the stream bank. This 30-foot line was thought to be the floodway limit as it was shown on the official flood map for Troy issued by the Federal Emergency Management Agency. This map was later found incorrect by the MDEQ.

Mr. Kochanski constructed one house located at 179 Evaline in 1996. The MDEQ permit that the two lots, this lot and the lot adjacent to the Sturgis Drain, expired

The Honorable Mayor and City Council
November 12, 2001

on December 31, 1997. After completing one house and taking a self-imposed break from the rigors of home building, Mr. Kochanski applied for a building permit for a second house in late 1999. Since the MDEQ permit had expired the City told him that he would have to reapply for the MDEQ permit.

Meanwhile, the City of Troy applied for and received a MDEQ permit on October 22, 1997 to pave Evaline based on the same DEQ floodplain determination that got Mr. Kochanski his permit to build the first house; the floodway limit as determined by MDEQ is about 30 ft west of the drain and beyond that is floodplain. At the time no one realized that the floodplain was actually the floodway. The average elevation change to the road was 0.1075 feet (1.29 inches) and ranged from .01 to .33 feet. The ditches were replaced with storm sewers and catch basins that drain east to the Sturgis Drain. As a result there was some fill placed in the floodplain but this was permitted by the MDEQ, as was Mr. Kochanski's fill for his house. Where Evaline extends SLIGHTLY into the floodway (as identified at the time) the road elevation did not change in order to comply with MDEQ requirements that no fill is permitted in the floodway. The city did not get any special MDEQ variance or approval that allowed us to build the road that could be extended to Kochanski's second house.

In February of 1999 the City of Troy adopted Chapter 42 – Flood Plain Management Ordinance. Under this new ordinance, any fill within the 100-year floodplain must be offset by a compensating cut so as not to increase the water surface elevation and/or decrease the flood carrying capacity for the 100-year flood.

In late 1999, after the adoption of Chapter 42, Mr. Kochanski submitted building plans to the city for the second house. In order to comply with Chapter 42 requirements, additional existing and proposed grades were needed on the plan in order to verify cut and fill quantities. A second plan was submitted September 15, 1999 and following additional modifications a third and final plan was submitted on October 22, 1999. On November 11th a meeting was held with Engineering, Building and Mr. Kochanski to discuss the latest submittal. At that time Mr. Kochanski indicated that he was preparing his submittal to MDEQ for the permit that expired in December 1997.

In early 2000 Mr. Kochanski was told by the MDEQ that the permit for the second house would not be re-issued because they determined that the property is located not in the floodplain but in the floodway. Mr. Kochanski appealed this determination but before the appeal could be heard, the MDEQ issued a letter of no authority for this property based on the size of the drainage area located upstream

being less than two square miles. This determination now placed the matter under City of Troy jurisdiction.

Staff concurs with the MDEQ that the property is within the floodway, not the floodplain. This determination is made by comparing the floodway elevation contained in the Flood Insurance Study with the property elevations and finding that all existing elevations on the lot are below the floodway elevation. Based on this finding, no structure can be built within the floodway unless the base flood elevation is lowered based on known changes in the drainage district, a study to determine the new (lower) base flood elevation and receipt from FEMA a Letter of Map Amendment. Requests involving changes in base flood elevation must be submitted by the City of Troy; an individual property owner cannot submit them. If the study moves the floodway limit to the 30 foot line or less from the Sturgis Drain, the last plan submitted to the city by Mr. Kochanski could likely be approved with some minor modifications as discussed at or meeting with him in October of 1999.

As for variance provisions in Chapter 42-Flood Plain Management, there are none except under Section 7, Flood Zone Development Standards, (2) "Encroachments, new construction, substantial improvements and development shall be prohibited within the floodway. Exception to this prohibition shall only be made upon certification by a registered professional engineer or the Michigan Department of Environmental Quality that the proposed development will not result in any increases in base flood elevation during a base flood discharge." While this approach may or may not be technically feasible, a certification could benefit one lot whereas a revision to the base flood elevation could allow development on multiple lots within the drainage district.

FUNDING

Funds are available for this study in the Drains Capital Fund, account number 401516.7989.1000

PRINCIPALS

Gerald F. Knapp
 Thomas E. Blehl
 Walter H. Alik
 George E. Hubbell
 Peter T. Roth
 Michael D. Waring
 Keith D. McCormack
 Curt A. Christensen

CHIEF FINANCIAL OFFICER
 J. Bruce McFarland



HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS

ASSOCIATES

Frederick C. Navarre
 Gary J. Tressel
 Lawrence R. Anzypa
 Kenneth A. Melchior
 Dennis M. Monette
 Randall L. Ford
 Timothy H. Sullivan
 Thomas G. Maxwell
 Nancy M.D. Faught
 Jonathan B. Booth
 Michael C. MacDonald
 Marvin A. Otane
 David P. Wilcox

October 26, 2001

City of Troy
 500 West Big Beaver
 Troy, Michigan 48084

Attention: Steve Vandette, P.E., City Engineer

Re: Sturgis Drain LOMA

HRC Job No. 20010792.00

Dear Mr. Vandette:

As requested, we are providing a Scope of Work and an Estimated Cost to prepare a Letter of Map Amendment (LOMA) for the Sturgis Drain, from Wattles Road to Long Lake Road. The need for the LOMA is a result of the recently completed Fredericks Drain project along Long Lake Road and the storm drainage project along Livernois Road and Wattles Road. It is thought that as a result of these projects, the peak storm runoff along this section of the Sturgis Drain has likely been reduced and would also affect the floodplain limits in the area.

Following is a summary of the proposed Scope of Work for the Sturgis Drain LOMA:

- The updated flowrates for the 10, 50, 100 and 500 year storm events will be determined based on the drainage pattern modifications along this section of the Sturgis Drain resulting from the upstream drainage improvements.
- A request for the current hydraulic models along this portion of the Sturgis Drain will be sent to the Federal Emergency Management Agency (FEMA).
- A duplicate effective hydraulic model for the 10, 50, 100 and 500 year storm events will be prepared. The duplicate effective hydraulic model will generally consist of inputting the FEMA model into a current version of the modeling software with the intent of having the same results as the original FIS Study. The prior data used for flow rates, and bridge and channel cross sections will remain unchanged from the information provided by FEMA.
- Channel cross section data in the FEMA model will be compared to the existing condition of the Sturgis Drain to determine if the model accurately represents the Sturgis Drain. Where required, cross section data will be gathered along the Sturgis Drain so that the FEMA model can be updated.
- A post-condition hydraulic model for the 10, 50, 100 and 500 year storm events will be prepared. Preparation of the post-condition model consists of revising the duplicate effective model based on the current flow rates. Existing cross section data will also be added to the model at locations where new cross section data has been gathered.

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Steve Vandette, P.E.
October 26, 2001
HRC Job No. 20010792.00
Page 2

- A plan and profile map of the Sturgis Drain study area will be prepared from the City's aerial contour maps. Included will be the 100 and 500 year floodplain and floodway limits for the post conditions models, the Sturgis Drain channel limits, existing contours, bridges, etc.
- A public notification, summarizing the results of the LOMA, will be prepared for advertisement by the City in a local newspaper.
- The FEMA profile, floodplain, and floodway maps from the Flood Insurance Study (FIS) will be revised based on the results of the post-condition hydraulic model.
- A package with the appropriate forms and documentation will be prepared for submittal to FEMA for their review and approval of the LOMA. Each of the above mentioned items will be included in the submittal package.

Attached is a Staff Hour Projections and Fees for Engineering Services Worksheets showing tasks and associated estimated staff hours to complete the work, as well as estimated costs. The total estimated cost to complete the LOMA submittal and approval is \$49,756.00, which will not be exceeded without prior authorization. Invoicing for this work will be on a basis of direct payroll, plus a multiplier of 1.8, in accordance with our Engineering Services Agreement. Invoices will be submitted on a monthly basis as the work progresses. Our total estimated cost includes estimated FEMA fees associated with research and retrieval of hydraulic background data and for FEMA review of the LOMA application.

Should you have any questions or require additional information, please call.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Michael MacDonald, P.E.

MM/
Enclosure
pc: HRC; W. Alix, File

STAFF HOUR PROJECTIONS

Sturgis Drain FEMA Submittal, from Wattles to Long Lake
City of Troy, MI

TASK NO.	TASK	ESTIMATED STAFF HOURS				TOTAL HOURS
		Assoc.	Eng.	Tech	Field Crew	
1	DETERMINE UPDATED 10, 50, 100 & 500 YEAR FLOWRATES	12	80			92
2	OBTAIN HYDRAULIC MODEL FROM FEMA		2			2
3	OBTAIN CHANNEL CROSS SECTIONS		8		60	68
4	PREPARE EXISTING CONDITIONS HYDRAULIC MODEL	10	60			70
5	PREPARE FUTURE CONDITIONS HYDRAULIC MODEL	10	60			70
6	PREPARE LETTER OF MAP AMENDMENT SUBMITTAL PACKAGE	10	50			60
7	PREPARE REVISED FIRM MAPS	10	60	80		150
TOTALS:		52	320	80	60	512

FEES FOR ENGINEERING SERVICES

Sturgis Drain FEMA Submittal, from Wattles to Long Lake
City of Troy, MI

	<u>ESTIMATED HOURS</u>	<u>DIRECT PAYROLL</u>	<u>ESTIMATED COST</u>
ASSOCIATE	52	\$35.00	\$1,820.00
ENGINEER	320	\$30.00	\$9,600.00
TECHNICIAN	80	\$24.00	\$1,920.00
FIELD CREW	60	\$53.00	<u>\$3,180.00</u>
TOTAL DIRECT PAYROLL			\$16,520.00
INDIRECT COST (1.8 Times Direct Payroll)			\$29,736.00
DIRECT EXPENSES			
FEMA Research & Retrieval Fee (Estimated)			\$1,000.00
LOMA Application Fee (Estimated)			\$2,500.00
TOTAL ESTIMATED FEE			\$49,756.00

November 14, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

SUBJECT: 1) Draft Responses to Questions Raised at the October 9, 2001 Public Hearing Regarding Proposed Wetlands, and Natural Features Ordinances; 2) Continuation of Public Hearing

I wanted to give you an opportunity to review my cover memo and amended responses to questions raised at the above-referenced public hearing. Most importantly, we specify that the proposed regulations were not intended to apply to any improvements on a platted lot unless the result is that property lines are moved to accommodate the construction of an additional home or business. The memo also indicates that because of concerns about ambiguity relative to this issue, additional ordinance provisions could be modified in order to clearly communicate this intent.

Procedural issues relative to the public hearing have been drafted by the City Attorney's Office, and Council had not seen this previously.

In terms of the public hearing continuance, we were able to secure the Athens High School auditorium on both January 15 and January 16, 2002.

As always, please contact me should you have any questions.

JS/mr\2001\To M&CC\Cover Memo to Wetlands Responses

c: Lori Grigg Bluhm, City Attorney
Mark F. Miller, Planning Director
Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer

Draft

November 9, 2001

**NOTICE OF CONTINUATION OF THE PUBLIC HEARING
FOR PROPOSED WETLANDS, AND NATURAL FEATURES ORDINANCES**

Dear Property Owner:

Due to time constraints at Troy Athens High School, not everyone wishing to speak had an opportunity to do so at the October 9, 2001 public hearing. Therefore, the Troy Athens High School auditorium has again been reserved to continue the public hearing. It will be held on January 15, 2002 starting at 7:30 PM. Troy Athens High School is located at 4333 John R Road, just north of Wattles Road.

All residents and property owners are invited to attend and voice their comments or concerns to the Troy City Council. Please know that no action to adopt or reject the draft ordinances will be taken at this public hearing. Also know that if everyone is not able to address City Council on January 15, then the meeting will be again continued on January 16, 2002. Of course, written comments are also welcome and we'll assure that they are made part of the formal record.

Enclosed are answers to questions raised at the October 9, 2001 public hearing. This information was prepared by City staff and submitted to City Council at their regular meeting of November 5, 2001. The answers contained herein are based on the current text of the proposed ordinances. While not everyone may agree on the content of these draft ordinances, we believe that the answers accurately reflect ordinance provisions as currently written. Upon reading these answers, you may find that your concerns have already been addressed.

We wish to emphasize that the intent of the proposed wetlands, and natural features ordinances is that existing platted parcels that do not go through a re-platting process are exempt from these regulations. In other words, the proposed regulations were not intended to apply to any improvements on a platted lot unless the result was that property lines are moved to accommodate the construction of an additional home or business. However, in response to concerns about ambiguity relative to this issue, additional ordinance provisions could be modified in order to clearly communicate this intent.

We encourage you to review the enclosed information and call or visit us prior to the public hearing should you have any additional questions, especially those involving property-specific issues. If you call or visit, ask to speak with Tracy Slintak, Environmental Specialist; Michael Bastien, Engineering Assistant; or City Engineer Steve Vandette with the Troy Engineering Department at (248) 524-3383.

Very truly yours,

John Szerlag, City Manager

JS/mr\2001\Notice of Continuation of PH

c: The Honorable Mayor and City Council
Lori Grigg Bluhm, City Attorney
Gary A. Shripka, Assistant City Manager/Service
Steven J. Vandette, City Engineer
Mark F. Miller, Planning Director

**Answers to Questions Asked at the October 9, 2001
Public Hearings**

1. Are platted parcels exempt from all provisions of Natural Features and Wetland Ordinances?

Under Section 37.07(B) of Wetlands and 38.05(B) of Natural Features, "This ordinance does not apply to lots platted prior to the enactment of this ordinance, when proposed for development as originally platted." The phrase "when proposed for development as originally platted" would mean that if a platted lot is split or combined with another lot, proposed improvements on the new or reconfigured lot would be subject to ordinance requirements if wetlands or natural features exist on the property or the improvement is within the 50-foot natural feature setback. The ordinances, however, were not intended to apply to any improvements on a platted lot unless the result was that the property lines are moved to accommodate the construction of an additional home or business. Additional language and/or revisions to Section 37.07(B) of Wetlands and 38.05(B) of Natural Features should be made to clearly communicate this intent. Additionally, revisions to Section 38.11(F) of Natural Features and Section 37.07(C)18 of Wetlands should be made to more clearly communicate that additions or alterations to existing structures on platted parcels, regardless of any movement of the property line, would be exempt from the ordinances.

2. Will school district properties be regulated by these ordinances?

According to a recent case, the City may not have the right to mandate a school district's compliance with these ordinances.

3. What is the purpose of the setbacks in the Natural Features Ordinance?

Setbacks help protect natural features. These areas slow water runoff, trap sediment, and enhance stormwater infiltration. They also trap fertilizers, pesticides, and heavy metals and help stabilize streams and reduce water temperatures, which are important in protecting fish habitat.

4. Are platted properties abutting Emerald Lakes exempt from the Natural Features Ordinance?

Yes, except in the case of a lot split or combination (see answer to question 2).

5. Are Oakland County drains and other watercourses regulated by Natural Features ordinance?

The ordinance does not apply to maintenance including clean out of open drains by the County or City for drains under their jurisdiction. Land use within a 50-foot setback from the edge of the bank would be restricted to flood control structures, utility right-of-ways, footpaths, road crossings and other similar uses designated in

Section 38.06 of the ordinance. All watercourses would have natural features setbacks. Activities prohibited in within the setback, except with the approval of the Planning Commission, include but are not limited to clearing of existing vegetation (except maintenance of previously established turf grass lawn areas), grading, stripping, filling, dumping and drainage by ditching (see ordinance Section 38.16).

6. Is a larger natural features map available so I can locate my property?

Large wall size maps that show parcels and natural features are available for viewing and/or purchase at City Hall.

7. If there is a woodland near my property, why was I not notified?

Letters were sent to property owners that have natural features on their property, or the natural feature itself is within 50 feet of their property, as shown on the natural features map. If a letter was not sent to you, the map did not depict your property as being within the natural features setback. For the general public, notices were published in the Somerset Gazette, Troy Times, Observer and Eccentric, and the Troy Tribune, in addition to being publicized on the City's Web Site.

8. What criteria will be used to reduce the size of the natural feature setback?

Section 38.15 allows for the averaging of the width of a setback. The Planning Commission may allow the natural feature setback to become narrower at some points, as long as the average width of the natural feature setback is 50 feet. This averaging may be used to allow for the presence of an existing structure within the setback. For new development, credit may be offered for additional density elsewhere on the site in compensation for the loss of developable land due to the requirements of 50-foot setback. This compensation may increase the total number of dwelling units on the site up to the amount permitted under the base zoning.

9. Do the ordinances have provisions for protecting property values?

If a wetlands or natural features use permit is denied, a property owner may appeal at the annual Board of Review for the purpose of seeking a re-valuation of the affected property for assessment purposes to determine its fair market value under the use restriction.

10. Why are utility installations not regulated by these ordinances?

Utility installation and maintenance are deemed essential to preserving public health, safety and welfare and as such are permitted in the natural features setback, subject to the review of the Planning Commission.

11. Does the City have sufficient staff to administer the ordinances?

The City of Troy does not anticipate a need for additional staff to administer these ordinances.

12. Can parcels become wetlands and be regulated in the future?

Yes, if the parcel is unplatted and poorly drained such that water collects at a frequency and duration sufficient to support, and under normal circumstances does support wetland vegetation or aquatic life, it can become a wetland. Platted parcels are exempt even when wetlands are created on the property at some point in the future.

13. Can unplatted parcels with wetlands be filled?

Yes, if the wetland is less than two acres and is not contiguous to another watercourse (permanent, seasonal or intermittent direct surface water connection) or within 500 feet of the high water mark or Area of Special Flood Hazard of a watercourse. A fill permit would be required under existing ordinances.

14. Can we combine the Wetlands and the Natural Features Ordinances?

Although the proposed ordinances may be combined, it is the opinion of our City Attorney's office that the separation of the Wetland and Natural Features Ordinance clarifies that the natural features set back or buffer requirements will not be imposed for the specific purpose of protecting the wetlands. As stated in Section 38.01 of the proposed Natural Features Ordinance, some of the purposes of set backs from natural features include the restoration and maintenance of the chemical, physical and biological integrity of the natural resources and the removal of pollutants delivered in urban storm water.

15. Are proposed (new) County drains or detention basins exempt from the ordinances?

No.

16. Why are 1/2-acre lots exempt from the Natural Features Ordinance?

The ordinance committee felt that lots containing natural features that are 1/2 acre and smaller would be rendered unbuildable.

17. Will Troy citizens have an opportunity to vote on these ordinances?

The Wetlands and Natural Features regulations are currently proposed as ordinances, and the Troy City Council has final authority to adopt ordinances.

18. Can trails be constructed in woodlands?

Yes, with Planning Commission approval of a Natural Features Use Permit.

19. Who determines endangered species?

Endangered species are designated by the State of Michigan and/or the Federal Endangered Species Act.

20. Are there provisions in the ordinance to increase development density to compensate for loss by protection of natural features?

According to Section 38.15 of the Natural Features Ordinance, "Credit may be offered for additional density elsewhere on the site in compensation for the loss of developable land...This compensation may increase the total number of dwelling units on the site up to the amount permitted under the base zoning." This section does not provide for *increasing* density, but does allow for a developer to keep the density originally allowed under the base zoning.

21. What "locally important" plants or animals might currently be identified?

The Heron rookery is generally viewed as locally important, as are the plants and animals associated with the Lake Plain Prairie.

22. Can I remove brush from my woodland?

Under the proposed ordinances, a Natural Features Use Approval would be required from the Planning Commission to remove existing vegetation (including brush) from a woodland. Removal of non-native species would not require a use approval. There are no provisions for dead tree removal.

23. Are there currently any wetland buffers in the state?

Of the 17 communities in Oakland County that have wetland protection ordinances, many require setbacks around wetlands. In our area, these communities include: Rochester Hills, Bloomfield Township, Oakland Township, and West Bloomfield Township.

24. How many additional wetland acres will be regulated by the wetlands ordinance?

According to the current natural features map, there are approximately 54 acres of wetlands between 2 and 5 acres each, including wetlands on city property that would be regulated.

25. Are revisions to site plans submitted prior to adoption of the ordinance subject to the ordinance provisions?

No, as long as they are still considered part of the original site plan application.

26. Can I maintain my existing lawn within the natural features setback?

Yes. Section 38.11(B) allows "maintenance of previously established turf grass lawn areas."

27. Can we improve existing wetlands?

Under section 38.11(D), the "planting of trees and other vegetation native to the region" is allowed. Any other improvements would require a Natural Features Use Approval from the Planning Commission.

28. Are there any special considerations for churches?

There are no wetlands or natural features exemptions for churches in the proposed ordinances.

29. How long is a site plan valid?

After Preliminary site plan approval has been obtained from the Planning Commission, the applicant has one year to submit an application for a Final Site Plan Approval. Once Final Site Plan Approval is obtained, the applicant has one year to make application for building permits. The applicant can also apply for an extension or renewal of their approvals within these one-year time frames.

30. Has the City considered acquiring development rights?

The concept of buying development rights to properties significantly impacted by natural features ordinance restrictions has been discussed by City Council at a study meeting but no specific proposal has been made.

31. Will the City expedite the platting process before the ordinances are adopted?

Chapter 41, Subdivision Control Ordinance, requires certain approvals within specific time frames. The City will not expedite or delay any plat approval for any reason related to any proposed ordinances.

32. Does the Environmental Protection (EP) zoning protect natural features? Could this (the proposed ordinances) be folded into the environmental protection zoning?

The EP zoning classification could be used to supplement the proposed ordinances; however, there are several considerations in the re-zoning of a property. In addition the EP zoning has a broader application than just protection of natural features.

33. Does the City have a tree protection ordinance that regulates what trees may be removed by builders?

Yes, Chapter 28 of the Troy City Code, "Tree Regulations", and the accompanying standards regulate which trees builders may remove.

34. Does the City have the authority to regulate setbacks on wetlands?

The Natural Resources and Environmental Protection Act does not authorize buffers or set back zones for the specific purpose of protecting the wetland. However, according to the Michigan Attorney General, "local units of government are empowered, under their zoning authority, to regulate wetland buffer or setback areas for other purposes utilizing the same types of criteria as they might generally use for set back or buffer zones in their zoning ordinance." (OAG. No. 6892) Permissible purposes include restoring and maintaining the chemical, physical and biological integrity of the water resources and removing pollutants delivered in urban storm water, as well as other purposes stated in Section 38.01 of the proposed ordinance.

35. How accurate is the natural features map?

The map provides an overview of potential natural features within the city. It is a guide to the presence of natural features, not a precise boundary map. The natural features map does not create any legally enforceable presumptions regarding whether property contains or does not contain a natural feature. An on site field assessment must be done to determine precise boundaries of natural features.

36. Who is on the wetlands and natural features ordinance committee and what are their qualifications?

- **John Szerlag**, City Manager, B.S. Administration, M.A. Urban Affairs
- **Lori Grigg Bluhm, J.D.**, City Attorney, Juris Doctor
- **John Martin, J.D.**, (Former City Attorney) Juris Doctor
- **Gary Shripka**, Assistant City Mgr./Services
- **Steven Vandette, P.E.** City Engineer, B.S. Civil Engineering
- **Neall Schroeder, P.E.** City Engineer, B.S. Civil Engineering
- **Mark Miller, AICP, PCP** Interim Planning Director, B.S. Urban Planning
- **Larry Keisling, AICP, PCP** Planning Director (Retired), B.S. Civil Engineering, M.S. Urban Planning
- **Tracy Slintak**, Environmental Specialist, B.S. Biology, Graduate student, Environmental Planning
- **Robin Beltramini**, Planning Commission, B.A., City Council member
- **Lon Ullman**, President, Troy Wetlands and Wildlife Coalition, residential builder, undergraduate work in biology
- **Dr. Carl Freeman**, Professor, Wayne State University; B.S. Biology, M.S. Botany, PhD Plant Ecology
- **Libby Harris, J.D.**, Attorney, Eastern Michigan Environmental Action Council, Juris Doctor

37. Can restrictions be imposed on public comments at public hearings?

City Council, as a body, has the right to impose reasonable restrictions to control the manner in which the public participates in meetings. City Council has set forth restrictions on public comments at public hearings in their Rules of Procedure,

which can be amended by a majority of City Council to accommodate special situations.

38. Was there a violation of the Open Meetings Act on October 9, 2001, since all interested attendees were not provided with an opportunity to make their comments?

The public hearing was necessarily continued, due to the large number of citizens who wished to address these proposed ordinances, and the facility imposed time limitations on the allocated time available for public comment. Although interested persons may also have to attend the continuation of the public hearing, there is no violation of the Open Meetings Act as long as members of the public are provided with the right to address the public body prior to the conclusion of the public hearing. The continuation of the public hearing will be re-noticed in compliance with the Open Meeting Act requirements.



November 15, 2001

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY

RE: BALLOT LANGUAGE

Pursuant to your request, the Administration has explored different options for raising additional funds to purchase property with significant natural features. The most viable options for raising these additional funds are either a bond issuance or a millage increase. Both of these options must be submitted to the electorate for approval at a regular municipal election or a general state election.

Under state law (MCL 117.21), before such questions can appear on the ballot, specific language must be drafted, that states in 100 words or less the purpose of the amendment or question. This specific ballot language must be approved by a 3/5 vote of the City Council. In order to insure that the ballot language is completely impartial, the text of the ballot language must be submitted to the state attorney general prior to being printed. The attorney general then submits the language to the Governor of the State of Michigan. The language must be approved by Council not later than 60 days prior to the date of the municipal or general election. Based on Troy's scheduled elections, the language would need to be approved by January 30, 2002 for the April municipal election, or September 6, 2002 for the November general election.

It is our recommendation that the language be submitted for your consideration not later than **January 7, 2002** if the matter is to be placed on the April municipal election. In the meantime, it is also our recommendation that the proposed language be submitted to the Charter Revision Committee for their recommendation. A meeting of the Charter Revision Committee has been scheduled for November 20, 2001.

The proposed ballot language is as follows:

BOND ISSUANCE:

Shall the City of Troy, County of Oakland, Michigan, borrow a sum not to exceed \$18,000,000 and issue, in one or more series, its general obligation unlimited tax bonds within 5 years from the date hereof, for the purpose of acquiring, preserving or improving natural features such as wetlands, watercourses, lake plain prairies, steep slopes or threatened or endangered species critical habitats that provide numerous environmental protection and resource management benefits for the City of Troy?

MILLAGE INCREASE

Shall the City of Troy, County of Oakland, impose a new millage of 0.5 mills for a period of 10 years, for the purpose of acquiring, preserving or improving natural features such as wetlands, watercourses, lake plain prairies, steep slopes or threatened or endangered species critical habitats that provide numerous environmental protection and resource management benefits for the City of Troy?

If you have any questions concerning the above, please let me know.

August 24, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager - Finance/Administration
Gary Shripka, Assistant City Manager – Services
Nino Licari, City Assessor

Re: Analysis of 10 year, .50 Mill Levy to purchase Natural Features Properties

A ten year levy of .50 mills has been suggested for the purpose of purchasing properties that may be affected by the adoption of the proposed “Natural Features Ordinance”.

There are two issues involved in the actual levy itself.

The first being that the levy of this millage against the captured value of the DDA would generate revenue to the DDA, and could not be used for the intended purpose, unless so authorized by the DDA. Even then, this money could only be used in the DDA district.

The second issue is that the Headlee limitation on taxation would apply to this levy, as it is not bonded debt. Therefore the levy is not exempt from the Millage Reduction Fraction that Headlee subjects taxing authorities to.

The attached chart details the estimated taxes generated by the .50 mill levy over 10 years (with an average increase in Taxable Value of 2% per year), minus the revenue that would go to the DDA, and using an estimated reduced millage rate based on past Millage Reduction Fractions that the City has been subject to.

This levy would generate approximately \$24,614,029.03 over the ten years, or an average of \$2.46 million dollars per year.

The larger issue is how much property could be purchased for this money.

Extracting data from the proposed Natural Features Map provides approximately 356 parcels that are influenced by natural features. These properties have a 2001 Market Value of \$55,161,600.

Assuming a 7% average increase in Market Value over the 10 year span of the levy, these properties would have a Market Value of \$108,511,216 in the year 2011 (detailed on the attached chart).

Estimating that the City could spend all of the yearly revenue generated by the .50 mill levy to purchase affected properties, there would still be over \$105,000,000 in property value outstanding in the year 2011 (also on the attached chart).

In short, this levy would only allow the purchase of 20% of the affected properties.

To further illustrate the magnitude of this endeavor, it would take a levy of over 2.50 mills (5 times the proposed levy) to insure adequate funding to purchase all of the identified affected parcels at the estimates provided here.

This estimate also does not include any potential increases in Market Value for these parcels that will surely occur should a policy such as this be adopted.

Cc: Lori Grigg Bluhm, Acting City Attorney
 Mark Miller, Interim Planning Director
 Steve Vandette, City Engineer

WETLANDS, AND NATURAL FEATURES PROS AND CONS
FOR A .5 MIL PROPERTY TAX LEVY VERSUS A BOND ISSUE

.5 MIL PROPERTY TAX LEVY

PROS

Generate \$24.6 million over 10 years

CONS

Headlee rollbacks could reduce millage rate

Charter amendment required

Market value increases in property costs

Take 2 years to accomplish the first
subset of the first tier

BOND ISSUE

PROS

Money up front (\$18 million)

Acquire first tier immediately

Not affected by Headlee

CONS

Interest expense

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October 3, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager - Finance/Administration
Doug Smith, Director of Real Estate and Development
Nino Licari, City Assessor

Re: City's Purchasing Ability of Prioritized Natural Features Properties

Per City Council request, staff has prioritized Natural Features areas of the City in relation to a .50 Mill, 10-year levy, and against a bond issue that would also be paid with a .50 mill 10-year levy.

Staff has identified 3 different stratifications of Natural Feature areas.

The 1st group being 4 different areas, of approximately 173 acres, is targeted for quick purchase. These areas have Natural Features that we wish to preserve, and contain portions of property that are developable. We have estimated the value of these lands to be \$16,800,000. These properties are located in the northeast ¼ of the City.

The 2nd group includes 3 areas, of approximately 60 acres, that are lower priority purchases. They are not developable, yet would enhance open space, and park lands in the City. The value of these properties is estimated to be \$5,340,000. These properties are not grouped proximate to each other.

The 3rd group includes all of the smaller, and less viable properties that may be affected by the proposed Natural Features Ordinance. These parcels are estimated to have a Market Value of \$33,021,600. The purchase of all of these properties may not be necessary. Many are too small to be developed on their own. Many are not contiguous, and may not be assembled for a larger development. These properties are located throughout the City.

Attached is a chart that illustrates the purchasing power of the City, were a 10 year, .50 mill levy be enacted to purchase Natural Features properties. This chart details that approximately 24.6 million dollars would be generated over a 10-year levy.

As the least expensive subset of the 1st priority of purchases is 3.1 million dollars, it is readily apparent that monies would have to be designated, and carried forward (through the budgeting process) for the first 2 years, to allow any kind of purchase.

A bond issue was another avenue investigated at Council's request.

For the same 10 year, .50 mill levy, the City could bond approximately \$18,000,000. This would enable the immediate purchase of the 1st priority group of properties, and a small portion of the group 2 properties. However, at 5% interest, for 10 years, there would be a \$5,300,000 interest charge on this bond. In effect, \$18,000,000 would cost the City \$23,300,000.

The 1st priority purchases would have a Market Value of \$23,562,000 after just 6 years (assuming a very conservative 7% per year increase). The total levy of a .50 mill tax will bring in just \$24,592,370 in 10 years. It would be more effective to bond the \$18,000,000, and make immediate purchases. By the 6th year the properties would be worth more than the \$23,300,000 we would pay for the bond. By the 7th year, the 1st priority purchases would be worth approximately \$25,212,270, more than the entire levy after 10 years.

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City of Troy - Assessing Department

Estimated Taxes Generated by a .50 Mill Levy

on the 2011 Market Value of Natural Features Property

Year	Total City Taxable Value	DDA Total Captured T/V (includes Brwnfld)	Net Taxable Value	Taxes Generated By Wetlands Millage(@.50Mills)	Headlee Reduced Millage (* .999)	Taxes Generated by Reduced Millage
2001	4,686,250,942	261,877,550	4,424,373,392			
2002	4,779,975,961	267,115,101	4,512,860,860	2,256,430.43		2,256,430.43
2003	4,875,575,480	272,457,403	4,603,118,077	2,301,559.04	0.4995	2,299,257.48
2004	4,973,086,990	277,906,551	4,695,180,439	2,347,590.22	0.4990	2,342,897.39
2005	5,072,548,729	283,464,682	4,789,084,047	2,394,542.02	0.4985	2,387,365.58
2006	5,173,999,704	289,133,976	4,884,865,728	2,442,432.86	0.4980	2,432,677.78
2007	5,277,479,698	294,916,655	4,982,563,043	2,491,281.52	0.4975	2,478,850.00
2008	5,383,029,292	300,814,988	5,082,214,304	2,541,107.15	0.4970	2,525,898.57
2009	5,490,689,878	306,831,288	5,183,858,590	2,591,929.29	0.4965	2,573,840.13
2010	5,600,503,675	312,967,914	5,287,535,762	2,643,767.88	0.4960	2,622,691.62
2011	5,712,513,749	319,227,272	5,393,286,477	2,696,643.24	0.4955	2,672,470.30
Total Dollars Generated				24,707,283.66		24,592,379.28

Total 2001 Market Value of Natural Features Properties	55,161,600
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Estimated Market Value by year, with 7% increase	Year	Increase	Market Value
	2002	(* 1.07)	59,022,912
	2003	(* 1.07)	63,154,516
	2004	(* 1.07)	67,575,332
	2005	(* 1.07)	72,305,605
	2006	(* 1.07)	77,366,998
	2007	(* 1.07)	82,782,687
	2008	(* 1.07)	88,577,475
	2009	(* 1.07)	94,777,899
	2010	(* 1.07)	101,412,352
	2011	(* 1.07)	108,511,216

Year	Purchasing Ability	Value of Property	Balance of Property Value
2002	2,258,417	59,022,912	56,764,495
2003	2,301,282	60,738,010	58,436,728
2004	2,344,960	62,527,299	60,182,339
2005	2,389,467	64,395,103	62,005,636
2006	2,434,819	66,346,030	63,911,211
2007	2,481,032	68,384,996	65,903,963
2008	2,528,122	70,517,241	67,989,119

2009
2010
2011

2,576,106
2,625,000
2,674,823

72,748,357
75,084,308
77,531,459

70,172,251
72,459,308
74,856,636

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PRIORITY 2

- (A) FORMER HUBER HOUSE
- (B) EXPANSION OF FIREFIGHTER PARK (Troy schools)
- (C) EXPANSION OF RAINTREE PARK (Troy schools)
- (D) WOODED PRESERVE-HART/WEBB

Service Commendation
ROY FIORE

WHEREAS, Roy Fiore began his employment with the City of Troy as a Laborer with the Department of Public Works on August 12, 1968;

WHEREAS, On July 21, 1969, **Roy** was promoted to Light Equipment Operator and promoted again on May 1, 1973 to MSEC Equipment Operator in the Department of Public Works;

WHEREAS, **Roy** worked as Equipment Operator until his retirement from the City after 33 years of service on September 12, 2001; and

WHEREAS, During the course of his employment, **Roy** has contributed many tireless hours of dedicated service to the City of Troy and its citizens.

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Roy Fiore** for his many contributions to the betterment of the City; and

BE IT FURTHER KNOWN That the City Council of the City of Troy, on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Roy** during his retirement years.

Signed this 1st day of October 2001.

Service Commendation
ELDON THOMPSON

WHEREAS, Eldon Thompson began his service to the City of Troy as a member of the Troy Futures Committee in February, 1992 and served as co-chairman of the Economic Vitality Task Force; and

WHEREAS, He served as a volunteer on the Troy Planning Commission and Troy Zoning Board of Appeals, was appointed to the Troy Downtown Development Authority and served on all three until being elected to City Council in April 1997; and

WHEREAS, Eldon has also been a dedicated volunteer contributing countless hours as a member of the Board of Directors for the Troy Boys and Girls Club, Trustee and Treasurer for the Troy Foundation for Educational Excellence, Member of the Walsh College President's Advisory Committee, Oakland Community College Foundation, Troy Daze Advisory Board Member, and member of Board of Directors and Treasurer for Courts in the Schools/Courageous Decisions Programs; and

WHEREAS, He was named Troy's Distinguished Citizen in 1995, Outstanding Volunteer for Leadership Troy in 1994, and received the Above and Beyond Award in 1994 from the Council of Troy Homeowners Association; and

WHEREAS, Our business community benefited from Eldon's service on the Oakland County Business Roundtable Board of Directors, Troy Chamber Board of Directors, and his 42 years of experience in the banking industry including President/CEO at the SOC Credit Union for 30 years; and

WHEREAS, He has strived at all times to further those ideals that contribute to a better community;

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy expresses the City's appreciation and recognition for this distinguished citizen's service as a member of the

TROY CITY COUNCIL

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to **Eldon Thompson** as a lasting expression of the City's gratitude and appreciation for his contribution to the betterment of the City of Troy.

Presented this 19th day of November 2001.

Call to Order

The regular meeting was called to order at 7:08 p.m.

Roll Call

Present:	Alex Bennett	Jerry Bixby
	Richard Hughes	Kyleen Krstich
	Frank Smith (arrived late)	Cindy Stewart
	Kent Voigt	Bryan Wehrung

Absent: Michael Farrug

Approval of Minutes

Moved by Voigt, seconded by Bixby to approve the minutes of the regular meeting of May 24, 2001 as submitted.

Motion carried unanimously.

Correspondence

A. Americast - Price Changes

Effective July 15, 2001, households will be charged \$4.95 for the first T.E.D. and additional T.E.D.'s will remain at \$2.95. The price of single advantage service (HBO, Cinemax, Starz/Encore) will increase by \$1.00.

B. Comcast

Effective April 16, 2001, the new rate for Basic Cable is \$11.50, Cable Plus is \$18.45 and Variety Packages are \$3.00. In addition, the digital cable ala carte pricing will increase by \$1.86; the digital packages will increase by \$5.00; and HBO, Showtime, Cinemax and the Movie Channel will increase by \$0.50.

Committee members discussed the City's role in stopping cable rate increases. The City has no recourse since there is competition.

A senior discount is available. Comcast offers \$3.00 off basic plus and basic for seniors over 62 years. Americast offers a 10% discount to seniors 65 years and older. Stewart will promote this via the *Senior Newsletter*, *Troy Today*, and cable.

Both cable companies are working hard to develop high technology systems.

C. New Staff

Cindy has dealt with both John Rawcliffe and Mary Maliga Brown. Both are very professional and respond to customer complaints in a very timely fashion.

D. Comcast @ Home Service

The new pricing for this service is \$5.00 per month to rent the modem. Wehrung has the @ Home Service and is very pleased with it. The speed alone makes it worthwhile.

E. Ameritech - New Digital Sports Package

The Committee questioned whether this package is free of charge. It is not per Americast. Ameritech is removing 3 channels from the analog PPV line-up.

F. Ameritech New Media Quarterly Report

The PPV buys seem fairly low. Outages doubled in the 2nd quarter compared to the 1st quarter.

Stewart will get trouble call codes from Ameritech for October meeting.

Old Business

A. Digital Equipment (carry over item)

For the long-term plan, WTRY equipment that is being purchased is high quality and digital.

B. Retention of Council Meeting Tapes

Council policy now states current tapes are recycled after the next meeting takes place. Copies are on sale for \$15.00 per tape.

Moved by Bennett, seconded by Hughes that CATV Committee advises City Council to maintain City Council meeting tapes for an indefinite period at the Library for access to citizens.

Motion carried unanimously.

This resolution will be forwarded to Council at an August 2001 meeting.

C. Elect CATV Chairperson

Wehrung is currently acting chairperson.

Bixby opened the floor for nominations to chair the Committee.

Bixby nominated Bryan Wehrung; Hughes seconded nomination.

Nomination was unanimously approved. Wehrung accepted the Chair position.

- D. Alex Bennett brought up a discussion on CMN.
- E. Amplifier and Power Strip Costs (from May meeting)

Stewart called Americast. Amplifier cost was not comparable to what equipment is worth and most people don't even need the amplifier. The power strip protects against power surges.

New Business

- A. ICCA Meeting Notes

Job opening - may want to contact National Academy of Arts & Sciences - Detroit Producers Association.

August 20 City Council meeting - Wide Open West - Contact CATV members if this presentation takes place.

Mail answers to questions from WOW to CATV.

- B. Related Articles

Comment – Wide Open West may change their name when the deal to purchase Americast closes.

- C. October Meeting Date

The next meeting date is October 17, 2001, at 7:00 p.m. in Conference Room C.

- D. Mission Statement

Include copy of Mission Statement in next agenda packet for new Committee members.

Moved by Voigt, seconded by Bixby to adjourn the meeting.

Motion carried unanimously.

The meeting adjourned at 8:40 p.m.

PARKS AND RECREATION ADVISORY BOARD

Minutes of September 13, 2001

Present: Robert O'Brien, member John Goetz, member
 Kathleen Fejes, member Orestes Kaltsounis, member
 Jeff Stewart, member Doug Bordas, member
 Stu Alderman, staff Jeff Biegler, staff
 Carol K. Anderson, staff

Absent: Gary Hauff, Tom Krent

Visitors: Tom Berti, Bob Kelly, Carl Simmons, John Grezlak, Ann Blizzard

A tour of the Community Center construction site was the first order of business while there was still daylight. Mr. John Grezlak, the site manager and Stuart Alderman conducted the tour explaining where each room would be.

A motion by Kathleen Fejes, supported by John Goetz, that the minutes of May 10, 2001 and June 14, 2001 be approved as submitted.

Ayes: All Nays: None
MOTION CARRIED

NEW BUSINESS

- A. Public Input – Carl Simmons, one of the Senior Gardeners, would like the fence around the gardens repaired as deer are eating the vegetation. He would also like for City personnel to trap the woodchucks, which are also a problem for the gardeners.
- B. Troy Baseball Boosters – President Bob Kelly explained that TBB is an all volunteer, non-profit, community based organization with approximately 1100 players on 90 teams ranging from ages 7 to a Senior league. TBB has 12 board members with a \$110 K budget and is audited annually by 3 trustees. They are strongly interested in being involved in upcoming field construction projects, upgrades to existing fields and new facilities.
- C. Ann Blizzard – Recreation Supervisor. Ms. Blizzard started working for the City on June 4 and is responsible for the Aquatic Center and the indoor pools when construction is complete. She came to us from Lapeer where she was the Assistant Director. She has a business degree from Sienna Heights College and is excited about the opportunities in the department.

OLD BUSINESS**CAPITAL PROJECTS**

- A. Cemetery Upgrades – A retaining wall at Perrin cemetery will be built before new fencing is installed. The retaining wall is needed because of road construction.

Locations and headstones at Beach Rd. cemetery are unknown so a boulder style marker listing the names of those buried will be placed near the entrance.

- B. Park Development – The Lacrosse field at Boulan Park will be seeded in the next couple of weeks. Irrigation will be installed in the spring making the field ready for use by fall 2002.

Cricket Field – Staff has met with the Oakland County Drain Commission staff at the Nelson Drain site to seek the use of that property as a Cricket field. It is on the agenda of the Drain Commission's next meeting for approval. Fencing is planned for the practice pitch site on Garry St.

Skatepark – City Council will decide in the near future if the site next to the Community Center can be used as a skatepark. Meetings with area teenagers have occurred to get input as to what they would like to have in the skatepark. Plans will proceed after a site is approved.

Nature Center – The opening date has been pushed back until after the first of the year.

Swing Sets – Seven parks have swingsets installed – Beach, Boulan, Beaver Trail, Brinston, Firefighters, Jaycee and Redwood. Installation of swingsets at Robbinwood and Raintree is planned for this fall.

- C. Sylvan Glen Masterplan – A Masterplan is being developed to address course problems at Sylvan Glen (slow play, back to back par 3's). Two plans will be developed – one using the lake and one without the lake.
- D. Section 1 Golf Course – Staff and the developer met with area residents of the new Golf Course. Residents expressed concerns about the course and the gas vents. Staff and the developer will take steps to alleviate the concerns.
- E. Park Names – A press release was sent to the media requesting ideas for the names of parks. It was suggested that all parcels be acquired before considering or recommending names to Council.

VII.

Member Comments – Mr. Kaltsounis wants to recommend to TYSL that they come up with a budget within a year because they have preference to use our soccer fields. He also wants to be able to use a field. It was explained that the current policy states that 75% of a team must be residents to obtain a field permit. Discussion took place about the policy and the current usage. There are many requests for fields by teams qualifying for use as well as teams denied permits because they do not qualify. Staff will provide a fall field usage schedule at the next meeting.

VIII. Staff Reports

Directors Report – The Veterans Memorial will be dedicated on October 6 and the Corporate Head will be placed within a month to six weeks.

A motion by John Goetz, supported by Kathleen Fejes, to excuse absent members.

Ayes: All Nays: None
MOTION CARRIED

The meeting was adjourned at 9:45 p.m.

POLICE AND FIRE COMMISSION (ACT 78)

MINUTES - Final

Thursday, September 20, 2001

Call to Order: Chairman McGinnis called the meeting to order at 7:30 AM in the Lower Level Conference Room of the Troy City Hall - 500 W. Big Beaver Road, Troy, Michigan 48084.

Roll Call: PRESENT: Chairman Donald E. McGinnis, Jr.
Commissioner David C. Cannon

ABSENT: None

Approval of Minutes of April 30, 2001:

Moved by Cannon
Seconded by McGinnis

RESOLVED, That the Minutes of the meeting of April 30, 2001, be approved.

Yes: All-2

Petitions and Communications:

(a) Amendment to Hearing Rules – Breaking of Ties:

Peggy Clifton, Director of Human Resources advised that there is a need to take the process of Breaking of Ties one-step further.

Captain Dane Slater suggested adding an additional digit.

Chairman McGinnis agreed that they should maintain the current process, but believes they should continue to add as many digits as is necessary until the tie is broken.

Moved by Cannon
Seconded by McGinnis

RESOLVED, That the Hearing Rules – Breaking of Ties be amended by adding additional digits until the tie is broken to the current process.

Yes: All-2

(b) Approval of Eligible List for the Position of Police Officer:

Moved by Cannon
Seconded by McGinnis

RESOLVED, That the Eligible List for the Position of Police Officer be approved as presented in accordance with the newly established Hearing Rules – Breaking of Ties.

Yes: All-2

New Business:

Resignation of Gary A. Sirotti

Moved by Cannon
Seconded by McGinnis

RESOLVED, That the resignation of Gary A. Sirotti be accepted effective July 2, 2001.

Yes: All-2

Old Business:

No old business.

Adjournment: The meeting was adjourned at 7:40 AM.

Donald E. McGinnis, Jr., Chairman

Barbara A. Holmes, Deputy City Clerk

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL – OCT 3, 2001

The Chairman, Leonard Bertin, called the meeting to order at 7:07 pm Wednesday, October 3, 2001.

Present: Leonard Bertin, member Nancy Sura, member
 Angela J Done, member Dick Kuschinsky, member
 Dorie House, member Kul B Gauri, member
 John Rodgers, member Sharon Lu, student rep
 Jerry Ong, student rep Mitch Grusnick, staff
 Mary McGinnis, staff

Absent: Phillip D'Anna, member Sharon Connelly, member
 Mary Ann Butler, alt member Cynthia Buchanan, member
 Nancy Johnson, member

ITEM B – APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 5, 2001.

Motion by Bertin to approve Minutes with corrections. Supported by Done.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Roger McCarville, Host and Executive Producer of Channel 56 program “Disabilities Today” and his film crew
John Szerlag, Troy City Manager
Kraig Schmottlach, Community Center Facilities Manager
Cindy Stewart, Community Affairs Director

ITEM D – NEW BUSINESS

Roger McCarville from “Disabilities Today” interviewed Bertin, Sura, Szerlag and Stewart before the meeting, and random footage camera shot of the Committee seated around the table. McCarville thanked the Committee for the invitation, and stated that if any other Cities contacted him about this Committee or starting a Committee for Persons with Disabilities he would ask them to contact the City of Troy for information per Mr. Szerlag’s invitation. He stated he thought the program would be on Channel 56 in two weeks, but would contact the Committee when he found out the exact date.

Bertin will send an appreciation letter to Roger McCarville for featuring this Committee on his program. (Attached)

Kraig Schmottlach, Community Center Facilities Manager, stated that he has been with the City for approximately three (3) months. He came from Muncie, Indiana, went to Ball State where he had experience in sports such as goal ball with both persons with disabilities and the able bodied. He personally participates in a tri-athlon completion in this area.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL – OCT 3, 2001

Schmottlack stated that approximately 80% of his time currently is used buying new equipment for the new Community Center facility. He mentioned that equipment will be purchased for use by both able bodied and persons with disabilities.

Sura asked if the kitchen equipment would be purchased with persons with disabilities in mind? For example stoves and counters accessible to people in wheelchairs, and cooking classes for developmentally challenged adults. Schmottlach stated that Emerald has the large equipment in the kitchen for preparing the food for Meals on Wheels, and that he would be glad to meet with Sura to find out what considerations the adaptive population and seniors might need to be able to use the kitchen facilities.

Schmottlack is also responsible for the day-to-day operations of the heating and cooling of the building. He will also be responsible for new policies and procedures for establishing a new fee schedule for programs offered. The Community Center will try to break even on services, as of now all revenues are from fees, rentals of meeting rooms, and banquet rooms.

He plans to hire a full time fitness position; included in the responsibilities would be personal training, and a part time person for the fitness room to help people use the fitness equipment. He also plans to offer a 4-hour workshop with sensitivity training to include senior citizens, racial issues and persons with disabilities. Bertin asked if a Certified Recreational Therapist would be considered. Mr. Schmottlack agreed that CRT skills would be advantageous to the Community Center.

House asked how many scooters are in the budget for the new Community Center. Szerlag ask Schmottlach to ask Carol Anderson to put at least one in the budget.

Schmottlach stated that Phase I of the Community Center should be ready for opening in March 2002. Phase I will include the Aquatic Center, Gym, and the senior citizen portion of building. The facilities that will not be operational will be banquet facilities, meeting rooms, music rooms, board and card game room, pre-school rooms, teen rooms, and the administrative offices. These will be a part of Phase II, which is targeted to open in January 2003.

Schmottlach said that his door is always open to Troy Citizens, and if he can do anything for people with disabilities he would be glad to talk to them.

Kul Gauri attended at meeting of the Oakland and Macomb Center for Independent Living at Athens High School. In attendance at this meeting were Susan Marsh, from OMCIL, an Athens teacher, and 5 students. All of the students had a learning disability. They worked on skills of self-reliance and how to build self-respect. Gauri reported that it was a good meeting.

Bertin asked the members of this Committee to become more visible and approachable in the community. He asked that someone attend the wheelchair basketball games at Boulan

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL – OCT 3, 2001

middle school. He also asked if the student representatives Ong and Hu could write articles for their school newspapers about disability issues.

A copy of the City's Voluntary ADA Compliance Statement from 1991 was passed out to each member of the Committee for each to review before the next meeting. The Committee would like to see if something could be set up at the Nature Center to comply.

Sura suggested that this Committee nominate Brian DeFrancesco for the Community Award sponsored by Leadership Troy. DeFrancesco has held a dance at the Community Center every Friday night for many years and has never received recognition for all of his time. Kuschinsky made a motion for the nomination and Sura seconded. All voted in favor.

ITEM E – REGULAR BUSINESS

Sharon Lu is a new student representative member of this Committee. Lu goes to Troy High and volunteers at Beaumont Hospital and a campaign to prevent teen pregnancy. She wants to study medicine at College.

ITEM F – OLD BUSINESS

Nancy Kuha sent a City of Troy Memo to the Advisory Committee for Persons with Disabilities with the purpose of answering questions that were asked of her when she was a guest at the meeting in September that she did not know the answer. Question 1 – was asked, can we use a "Voucher " system to pay the home chore participants up front so that they can hire the contractor of their choice? Kuha stated that the County would not fund a program where a competitive bid process is not used to hire a contractor.

Sura made a motion that we accept the report as written and table the issue of the voucher system for the Home Chore Program for one (1) year and give Kuha a chance to work on the system. Kuschinsky seconded the motion. All voted in favor.

House asked Grusnick if he had looked at the lighting at the front of the library that had been discussed at the last meeting. Grusnick responded that he had not been able to see it at night. House, Done and Grusnick agreed to go to the library after the meeting; their findings will be discussed at next meeting.

House also asked if anything could be done about the line of cars at library entrance of people dropping off and picking up children and young adults. It makes it difficult to access for disabled parking. Grusnick will ask John Abraham if anything can be done to prevent this problem at the library and report next month.

Ong and Lu were asked to bring an outline to the next meeting of what the Committee could do for a recognition day. This could be accomplished at Troy Daze or some other appropriate day in the year.

ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

Motion was made to adjourn by Kuschinsky and seconded by Sura. Meeting was adjourned at 8:35 p.m.

MG:mm

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:35 A.M. on Wednesday, October 3, 2001.

PRESENT: Ted Dziurman
Rick Kessler
Bill Need
Rick Sinclair
Frank Zuazo
Ginny Norvell
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES – MEETING OF September 5, 2001.

Motion by Need
Supported by Kessler

MOVED, to approve the minutes of the meeting of September 5, 2001 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. DAN HEILEMAN, HEILEMAN SIGNS, REPRESENTING ELDER FORD, 777 JOHN R., for relief of Chapter 78 to replace an existing sign box and reclad the existing sign pole.

Ms. Norvell stated that the petitioner is requesting relief of the Sign Ordinance to replace an existing sign box and reclad the existing sign pole at 777 John R.

Section 9.02.04, A of the Sign Ordinance:

1. Limits the site to 2 ground signs and the proposal is for 3 to remain;
2. Limits the height of signs to 25' and the proposed sign is 42.1' high;
3. Requires that a sign of this size be placed at least 30' from the right-of-way, (105 feet from the section line). The proposed sign would remain in the future right-of-way approximately 65' from the section line; and
4. Limits the size to 200 square feet and the proposed sign is 260 square feet.

This item first appeared before the Board at the meeting of September 5, 2001 and was postponed at the request of the petitioner.

Mr. Dan Heileman of Heileman Signs, and Mr. Tony Elder, Owner of Elder Ford, were present. Mr. Heileman stated that in 1999 they were granted permission by this Board to change the existing sign. Shortly after, the Ford Company came out with a sign, which they wished to be used nationally. Mr. Heileman also stated that presently there are four (4) ground signs on site, and they planned on removing two (2) of these signs. Mr. Heileman also felt that since the new sign is oval shaped it would actually be smaller and set further back from the right of way, than their initial proposal.

ITEM #2 – con't.

Mr. Heileman went on to say that they also planned to replace the existing cabinet of the used car sign, at which time Ms. Norvell stated that they would need to file for another Public Hearing as only a “face” change would be allowed on the existing sign. A change in the cabinet would require a variance.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Ms. Norvell also pointed out that the petitioner’s request included re-cladding of the existing sign pole, and presently the existing sign pole intrudes about 3” into the sidewalk. Ms. Norvell stated that re-cladding the existing sign pole would create a larger intrusion into the sidewalk. Mr. Elder stated that they have made provisions to rework the sidewalk and put in a curve around the sign pole.

Motion by Need
Supported by Sinclair

MOVED, to grant Dan Heileman, Heileman Signs, Representing Elder Ford, 777 John R., relief of Chapter 78 to replace an existing sign box and reclad the existing sign pole.

- Petitioner will remove two (2) existing signs: Truck Sign and Lubrication Sign.
- Petitioner will move sidewalk and maintain no intrusion of signpost onto sidewalk.
- Petitioner will apply for a variance to replace the existing used car sign box.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. GREG DEGORSKY, 4826 BELZAIR DR., for relief of Chapter 83 to install a privacy fence.

Petitioner is requesting relief to construct a 6’ high privacy fence. This lot is located at the northeast corner of Belzair and Choice Ct. and by definition is a double front corner lot. As such, Chapter 83 limits fences in the front yard setbacks of both Belzair and Choice to not more than 30 inches in height. The application submitted indicates a 6’ high privacy fence within 20’ of the front lot line along Choice Ct.

Mr. DeGorsky was present and stated that he and his wife planned to put in an in-ground pool, and according to the Ordinance, this pool would have to be protected by a fence. Mr. DeGorsky also stated that he has three young children and is concerned about their safety in regards to the traffic in this area. Mr. DeGorsky brought in pictures to show the Board how the proposed fence would look. Mr. DeGorsky pointed out that

ITEM #3 – con't.

there are several mature trees on his property and much of the fence would be concealed from view. Mr. DeGorsky also stated that presently there is a 6' high fence that runs along the back of his property. Mr. DeGorsky said that there have been several reports of teenagers speeding through the area.

The Chairman opened the Public Hearing.

Mr. and Mrs. Chris Rodgers, 511 Choice Ct. were present and stated that they are opposed to this request. Mr. Rodgers stated that he feels that a 6' high privacy fence is totally out of character to this area and is concerned about the maintenance of the fence. Mr. Rodgers also stated that he is concerned about the safety of the children waiting at the bus stop. Mr. Dziurman pointed out that if an in-ground pool were to be installed, a fence would be required as a safety issue.

No one else wished to be heard and the Public Hearing was closed.

There are eleven (11) written objections on file. There are no written approvals on file.

Mr. Need asked if Mr. DeGorsky had approached the Traffic Safety Committee to request either a yield sign or a stop sign. Mr. DeGorsky stated that he had not contacted the Traffic Safety Committee with this request, although he thought that other residents had done so. Mr. DeGorsky went on to say that he did not think that the proposed fence would create a safety issue for either drivers or children at the bus stop.

Mr. Need asked what the City requires when an in-ground pool was installed and Ms. Norvell replied that it would need to be protected, however, the entire yard would not have to be fenced. Mr. DeGorsky stated that the pool would be placed at the rear of property due to the fact that there is an electrical line that runs through the property, as well as trees, which he believes, are between 50 and 100 years old.

Motion by Need
Supported by Zuazo

MOVED, to deny the request of Mr. Greg DeGorsky, 4826 Belzair Dr. for relief of Chapter 83 to install a privacy fence.

- Petitioner did not demonstrate a hardship.
- Board feels that petitioner could bring request back to the Board, after the in-ground pool is installed.

Yeas: All – 5

MOTION TO DENY REQUEST CARRIED

ITEM #4 – VARIANCE REQUESTED. MARIAN JASKULA, REPRESENTING LEONARD ELEMENTARY SCHOOL, 4401 TALLMAN, for relief of Chapter 78 to place 21 off-site signs to advertise a special event.

Ms. Norvell explained that the petitioner is requesting relief of Section 14.03 of Chapter 78 to place 21 off-site signs to advertise a special event where Chapter 78 limits the number of off-site signs to four (4). Also one of the signs is proposed to be 8 square feet where Chapter 78 limits the size of off-site special event signs to be 6 square feet. Petitioner is also requesting to display the signs for eight (8) days where a maximum of seven (7) days is permitted.

Ms. Connie Belanger was present and stated that this event has been held each year for the past 16 years. Ms. Belanger explained that they would be willing to remove the signs within the seven (7) day limit, and the largest sign is actually less than 6 square feet.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Motion by Need
Supported by Sinclair

MOVED, to grant Connie Belanger, representing Leonard Elementary School, 4401 Tallman, relief of Chapter 78 to place 21 off-site signs to advertise a special event.

- Signs will be removed within 48 hours following the event.
- Signs will be erected for a period not to exceed seven (7) days.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

ITEM #5 – VARIANCE REQUESTED. DAN SALYERS, 38753 DEQUINDRE, for relief of Chapter 83 to erect a 6' high privacy fence.

Mr. Kessler explained that the petitioner is requesting relief of Chapter 83 to erect a 6' high privacy fence. This lot is a double front corner lot and therefore has a front setback along Dequindre as well as Ashbury. Chapter 83 limits fences in front yards to 30" in height. The permit application submitted indicates a 6' high obscuring fence at the front property line along Ashbury.

Mr. Dan Salyers was present and stated that his neighbor across the street, had erected a privacy fence and he noticed a difference in the noise from the traffic. Mr. Salyers also stated that he owned two Dobermans and people walking on the sidewalk next to his property are intimidated by them.

ITEM #5 – con't.

Gary Workman, Tadian Homes, was also present and stated that Mr. Salyers had approached them to install this fencing. Mr. Workman stated that based on their previous experience in installing a privacy fence across the street, they have already planned to locate the fence 5' from the right-of-way along Ashbury.

Mr. Need asked about the location of the fence from Mr. Salyers' home, and Mr. Workman stated that it would come out from the back of the house and tie into an existing fence. Mr. Kessler asked where the neighbor's driveway was located due to the fact that he was concerned about visibility for cars pulling out of the drive. Mr. Workman stated that he could modify the fence to come out at a 45-degree angle from the corner near the neighbor's driveway. After further discussion Mr. Salyers agreed to a 25' corner clearance to improve visibility.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Motion by Sinclair
Supported by Kessler

MOVED, to grant Dan Salyers, 38753 Dequindre, relief of Chapter 83 to erect a 6' high privacy fence in the front property line along Ashbury, setback 5' from the property line.

- The fence, adjacent to the neighbor's driveway, will be setback to maintain a 25' corner clearance, to allow for better visibility.
- The variance will not be contrary to public interest.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED

The Building Code Board of Appeals meeting adjourned at 9:10 A.M.

GN/pp

Advisory Committee for Senior Citizens
Minutes of October 4, 2001

Present: David Ogg, Member Steven Banch, Member
Jo Rhoads, Member Ed Forst, Member
Merrill Dixon, Member Bill Weisgerber, Member
Lawrence Jose, Member Carla Vaughan, Staff

Excused: Jane Crowe, Member Marie Hoag, Member

Absent: None

Visitors: Victoria Lang, Gloria Dixon, Jo-Anne Stein

Approval of Minutes: Motion by Larry Jose, supported by Jo Rhoads that the minutes of September 6, 2001 be amended as follows: Bill Weisgerber nominated Merrill Dixon for Chairman. Mr. Dixon was elected by a vote of seven to one. Ayes: All Nays: None MOTION CARRIED

Old Business:

Community Center Update: Carla reported that Phase I is still on schedule. Mr. Dixon commented that the south end looks bad and asked when something would be done about that. Carla reported that the south end will be torn down as soon as work on Phase II begins in the spring. It remains up for now because it is connected to a part of the old building that we are still using.

Suggestion Box: Mr. Dixon reported that there were no suggestions this month. Jo-Anne Stein said that she had received a suggestion from someone in the lunchroom that the Committee change their meeting day/time because the parking lot is too crowded and people cannot find a parking spot so they can attend the meeting. Mr. Banch said that the parking problem is temporary, and Mr. Dixon did not think the change was justified. The Committee decided not to change their meeting time. Mr. Dixon said that the suggestion box has been in place for one year now, and there have been 13 suggestions. Mr. Weisgerber suggested that there be an article in the newsletter summarizing what action was taken on these suggestions. It was moved by Larry Jose and seconded by David Ogg that Mr. Weisgerber write that article.

A discussion was held about the survey that Jo Rhoads reported on last month. Mr. Dixon asked how the moment of silence for grace is being accepted. Jo-Anne Stein said that it has been well accepted. Carla reported the policy about grace has been posted in the lunchroom. Regarding name badges, Carla reported that volunteers and Mackinac trip participants would get them first, and we may wait until we get in the new building to give them to everyone. Mr. Banch said this would be good for volunteer recognition. Mr. Weisgerber suggested that we try to determine if the seniors will wear their nametags before we make a lot of them. Regarding unpleasant volunteers in the lunchroom, Carla feels that volunteers do not know all the policies, they often interject their own opinions, and Jean is not there to supervise them. It was moved by Mr. Weisgerber and

seconded by Mr. Jose that Mr. Banch and Carla meet with Jean Moseley to discuss how to resolve this problem, and report back next month.

Fees for Senior Programs: Merrill Dixon reported that there has been two meetings to discuss establishing fees for the new community center. There will be a membership fee for some fitness activities, but there has also been discussion about how to offer a drop-in fee.

Bill Weisgerber reported that it has been proposed to not offer a senior discount. He feels that City Hall should budget for discounts for low income people instead of the Parks and Recreation Department. Amended 11-1-01 to: He feels that City Hall should budget for discounts for low income, seniors and disabled people instead of the Parks and Recreation Department. Ed Forst asked if non-resident fees had been discussed.

Troy Daze Participation: Mr. Dixon reported that he had talked to Marie Hoag, and they are going to hold all of the “goodies” until next year. He asked Mr. Weisgerber to thank his son for offering his car for the parade.

Survey for November Newsletter: Carla distributed a revised copy of the survey that she had given to committee members last month and asked for feedback by October 10.

New Business:

Phone Charges: Victoria Lang is concerned that the phone company is charging too much. She has not been able to get an adjustment on what she felt were unfair charges, and has therefore not paid her bill. Her long distance service has been disconnected as a result. Mr. Ogg and Mr. Jose suggested that she get a cell phone as fees are lower. Mr. Ogg also suggested that she contact the Public Service Commission or better yet, the Attorney General's Office. Mr. Weisgerber will explore writing a letter to a state-wide committee about this issue.

Other:

Member Comments: Mr. Ogg asked what Carla had found out about the Gem Theater price difference at Troy vs. Madison Heights. Carla reported that Troy charges more for their bus. The additional \$3 difference in cost was due to a typographical and a proofreading error.

Mr. Weisgerber would like to know how many newsletters we mail and how many we hand out. Carla will report back on this next month.

Parks and Recreation Report: No report.

Troy Medi-Go Plus Report: No report.

Nutrition Report: There were **1404** meals served in the Troy Community Center in **August**. The average donation was **\$1.85**. **1810** homebound meals were delivered.

The meeting was adjourned at 11:55 am

Respectfully submitted,

Carla Vaughan

Call to Order

The regular meeting was called to order at 7:05 p.m.

Roll Call

Present:	Alex Bennett Lusi Fang Richard Hughes Brian Wehrung	Penny Marinos Kent Voigt Cindy Stewart
Absent:	Jerry Bixby Michael Farrug	

Approval of Minutes

Moved by Voigt, seconded by Hughes, to approve the minutes of the regular meeting of July 26, 2001 as submitted.

Motion carried unanimously.

Correspondence

A. Comcast Rate Increase

<i>Service</i>	<i>Current Price</i>	<i>New Price</i>
Preferred Basic	\$32.95	\$33.95
Digital Basic	\$49.84	\$50.95
Digital a la carte	\$13.86	\$14.95
Analog converter box w/remote	\$ 3.30	\$ 3.95

It seems that Comcast is not giving customers enough time between the receipt of their billing statements and the due dates, especially since late fees increased from \$3.00 to \$5.00. Stewart will investigate this matter.

B. Ameritech New Media - Customer Satisfaction

Ameritech has received excellent customer service ratings from J.D. Powers & Associates. WideOpenWest said it would carry on this tradition when they made their presentation to City Council in August.

Old Business

A. Digital Equipment (carry over item)

Discussion related to the purchase of new digital equipment. Council approval has been received for capital equipment each year in order to upgrade the cable production department's equipment.

Wehrung suggests that this topic be removed from the agenda. If there is a future need for budget increase for capital items, Stewart should report it to the Board.

Staffing Issues – The Board is concerned that Troy is not offering all the programs it should; i.e., Rochester, Shelby Township, Sterling Heights. The Board will look into what other communities are producing and televising and report back to the Committee for further discussion at the next meeting. Additional staffing may be the solution.

It was decided to mail the CATV cable schedule to the Board and to look into additional ways to promote the schedule (possibly listing it in *Troy Today*).

B. Retention of Council Meeting Tapes

It was discussed whether the Library can keep track of the usage of Council tapes. Stewart will check with the Library Director on getting a quarterly report.

Information on tape availability will be posted in *Troy Today* and designated at the beginning and end of each tape as it airs.

C. Americast Transfer to WideOpenWest

All 42 communities have passed Council resolutions. WOW will take control on December 1, 2001.

In response to a service-related question, Comcast customers can go to the Delemere Office if they need equipment. Will WOW have local offices? Yes, but they are uncertain of their locations. Stewart will advise as soon as they know.

An invitation has been extended to Mark Dineen, Chief Operator Officer from WideOpenWest, to attend the January 16 meeting to meet the Board. The Committee is encouraged to ask Mark Dineen questions related to WOW at that time.

Note: Mark Dineen has confirmed to attend the January 16, 2002 meeting.

D. CATV Mission Statement

CITY OF TROY
CABLE ADVISORY COMMITTEE
MISSION STATEMENT
(adopted July 14, 1999)

MISSION: To serve as liaison between City Council and citizens of Troy relative to cable issues.

To receive comments and suggestions from fellow citizens and neighbors for presentation to the committee on all cable matters.

To make recommendations to the Troy City Council relative to the City's cable TV franchise, including any and all activities, which may affect the quality or level of service, provided to Troy residents.

In order to fulfill this mission to meet on a regular basis to discuss and review all aspects of the quality and service of cable TV available to Troy citizens including:

FRANCHISE PROVIDERS (current are Comcast and Ameritech New Media)

To monitor and review financial and performance reports as provided to ICCA by the franchisees. To review and recommend action as appropriate in the establishment and negotiation of franchise agreements or amendments to these agreements. To receive and consider presentations as requested from the management representatives of the franchisees.

INTERGOVERNMENTAL CABLE COMMUNICATIONS AUTHORITY (ICCA)

To monitor and review correspondence, reports and presentations of the ICCA that may affect or impact the quality or level of service to Troy citizens. This is specifically related to the ICCA consortium agreement.

COMMUNITY MEDIA NETWORK (CMN) - Channels 52 & 18

To monitor and review correspondence, reports and presentations of the CMN or other groups that may affect the quality or level of public access service to Troy citizens. These reviews would include quality of product and access to airtime, equipment and other services with the express purpose of providing for local access programming services and opportunities for individuals and groups.

GOVERNMENT ACCESS / WTRY - Channels 53 & 10

To monitor the quality of product and level of service of the local government access channel provided to the City of Troy as part of the franchise agreement. In this role the committee will request regular reports from the WTRY management and provide opinions to WTRY staff on minor issues and provide recommendations on major issues to City Council.

STEWARDSHIP OF FUNDS

To review requests, assess needs and make recommendations to City Council relative to the awarding and disbursement of available funds to support access channels as provided in the franchise agreements.

LEGISLATION

To review new and proposed local, state and federal legislation relative to providing a point of view to City Council relative to suggested actions.

TECHNOLOGY DEVELOPMENTS

To be aware of new technological developments relative to cable TV service with the objective of assuring that the residents of Troy are receiving the best service and the highest quality of programming available.

.....

Changes – ANM to WideOpenWest

Include revision date each time we revise mission statement

CATV Board will take a look at the mission statement and bring back any changes, additions to the next meeting.

Note: A list of cable-related magazines will be included in the next agenda packet with an updated address list for Board to make corrections/changes.

New Business

A. ICCA Meeting Notes submitted.

B. January Meeting Date

The next meeting is scheduled for January 16, 2002. WideOpenWest will be invited to make a presentation.

The meeting adjourned at 8:37 p.m.

DRAFT

The Traffic Committee meeting was called to order at 7:30 p.m. in the Lower Level Conference Room at Troy City Hall on October 17, 2001 by Charles Solis.

PRESENT: John Diefenbaker
Eric Grinnell
Ted Halsey
Jan Hubbell
Richard Kilmer
Michael Palchesko
Charles Solis

ABSENT: None

Also present: Sergeant Robert Redmond, Troy Police Department
Lt. Robert Matlick, Troy Fire Department
John Abraham, Traffic Engineer
and residents listed on the attached sign-in sheet.

2. Minutes – July 18, 2001

Motion by Kilmer
Supported by Palchesko

To approve the July 18, 2001 minutes as printed.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

3. Visitors' Time - (Items not on the Agenda)

No one appeared to address any items not on the agenda.

Motion by Hubbell
Supported by Grinnell

To leave Items 6, 7, 8, and 9 until the end.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

4. **Convert Calvert and Alton Intersection to 4-way STOP Controlled**

Mr. Joe Beyer of 4706 Alton requests that the intersection of Calvert and Alton be converted to a 4way STOP controlled intersection. Mr. Beyer is concerned about pedestrians, and particularly children walking to Costello Elementary School. The intersection today is controlled by YIELD signs on Alton. Mr. Bayer feels that the traffic on Calvert should stop, since the curve north of the intersection poses a sight distance problem. When kids cross at the intersection, southbound traffic on Calvert may not be able to see the pedestrians that are on the crosswalk. He also indicated that Calvert is a part of a major cut-through route for motorists between Long Lake and John R Roads. Mr. Beyer also indicated that this intersection doesn't have a school safety to guide school children safely across the intersection. We have contacted the Troy School District on this matter and understand that they are evaluating the request.

A STOP sign warrant analysis was performed for this intersection. Traffic counts were taken in August before and after school opened.

Aug. 16-17	Calvert	1192 vehicles per day	29--8:15-8:45	36-- 3:30-4:00
	Alton	399 vehicles per day		
Aug. 29-30	Calvert	1383 vehicles per day	40--8:15-8:45	54--3:30-4:00
	Alton	383 vehicles per day		

Average traffic volumes on residential streets in Troy range between 300 and 4500 vehicles per day. Field observations were performed on September 10 between 8:00 a.m. and 9:00 a.m. A speed study indicated 24.9 miles per hour average speed for southbound traffic and 22.4 mph for northbound traffic in a section of Calvert north of Alton. There were two bicyclists observed during this time, which were an elementary school child accompanied by his mother. No pedestrians were observed.

Similar observations were made between 3:00 and 4:00 p.m. during school dismissal time. Average speeds were found to be 23.95 mph for northbound and 24.67 for southbound traffic on Calvert north of Alton. Five pedestrians and one bicyclist were observed.

A sight distance study showed that the curve on Calvert on the north side of the intersection poses a sight distance restriction. Since YIELD signs control traffic on Alton, this may not pose a major concern for vehicular traffic. It may be of concern for pedestrians crossing, particularly the children. Therefore, a stopping sight distance study was performed. Stopping sight distance is the distance required for a motorist to stop after sighting an obstruction in the roadway (such as a pedestrian). This distance is a sum of the distance traveled when a driver sees and understands the obstacle and proceeds to apply brakes and the distance traveled by the vehicle after applying brakes. For a motorist with slow reactions driving a big vehicle (applying conservative response time and deceleration rate), this distance was determined to be 180 feet, assuming the vehicle was approaching at a speed of 30 mph. Measurements in the field indicate that southbound traffic has this required stopping sight distance. Meaning, a motorist on southbound Calvert will have enough distance to stop after seeing a pedestrian crossing the intersection.

A traffic crash analysis was performed for this intersection to determine if there have been crashes at this location that might have been prevented by all-way STOP signs. Traffic crash records indicate that in the eight years between January 1993 and March 2001 there have been two reported crashes near this intersection. One was a rear-end crash, the other was a right angle crash where the motorist on Alton did not yield the right-of-way to the motorist on Calvert. Both were non-injury crashes. The rear end crash would not have been prevented by STOP signs; however, the right angle crash may have been prevented by a STOP sign on Calvert.

Additional comments by residents:

Joe Beyer, 4706 Alton

98% of neighborhood residents approve 4-way STOP signs

There is a sight distance problem, curve in the road, trees, and mounds of snow in winter. There is a lot of cut-through traffic from Square Lake, which will worsen next year during Square Lake Road construction.

Jackie Tremonti, 4735 Alton (corner house)

Wouldn't allow her son to be a safety on that corner because it's too dangerous. The principal of Costello school is reluctant to place a safety there for that reason.

Bryan Coudret, 4983 Calvert

Says it's dangerous to walk after 5 o'clock because of traffic speeds and volume. He invites anyone to come walk with him to see the problem. He recognizes the same cars all the time and wants them ticketed.

Joe MacRae, 4761 Alton

30 year resident, says it's hard to get across Calvert because of sight distance problem and speeds.

Rachel Leo, 1611 Welling

Wants flashing signs and more 25 mph signs. She has been almost run off the road, and someone also ran a YIELD sign and almost hit her.

Dan Beyer reiterated the above and also has heard that activities from other schools will be moved to Costello in the future, which will compound the problem.

A citizen said Welling is not a through street. Motorists trying to cut through turn around and go back, and are annoyed at the delay and go faster.

Tony Smith, 4684 Whitesell Drive

When he sees 3 or 4 cars in ten minutes he knows there is a backup on eastbound Long Lake. Motorists get mad at dead ends, are looking for streets to get out of the sub and not looking where they're driving.

Jeff Graffa, 4640 Fairmont

Wants someone to look at Calvert and Chapel. STOP signs were previously requested there.

A citizen said Hamman gets all the above traffic as well as traffic from Rochester Road.

It was suggested that opening another eastbound lane on Long Lake to facilitate traffic flow would lessen cut-throughs in the subdivision. Next year Long Lake is scheduled to be widened to five lanes east to Dequindre. However, these projects are always dependent upon funding, so it could take two years or more to accomplish.

In the meantime, Dr. Abraham will consult with the Engineering Department about the feasibility of installing a temporary extra lane.

Motion by Halsey
Supported by Diefenbaker

To recommend removing the YIELD signs on Alton and installing 4-way STOP signs at the intersection of Alton and Calvert.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

5. Restrict Parking on Lanergan for 70 Feet West of Adams

Ann Ortel of 3666 Adams Road requests that parking be restricted on the western end of Lanergan Street. Ms. Ortel described that vehicles park on the south side of Lanergan near Adams every day to take kids to the Harlan School across the street. As seen in the attached photos, pedestrians crossing Lanergan may not be seen by oncoming westbound traffic from Lanergan. Ms. Ortel indicated that in her observations, kids dart into the street and the parked vehicles pose an obstruction to motorists' sight, who may not see the pedestrians. She indicated that this occurs every morning and evening and is a dangerous situation.

The north side of Lanergan, being the water main side, is marked NO PARKING. The first residential driveway is around 65 feet from the sidewalk. According to Ms. Ortel, the resident across the street supports the parking prohibition.

The kids who walk on Adams have no sidewalks. There is a good circular drive at the school but most parents seem to prefer parking on the street.

Sergeant Redmond said posting NO PARKING signs would not prohibit vehicles from stopping and standing in the area, and believes that enforcement of the standard 15-foot parking restriction at intersections would solve the problem. He will step up enforcement and also contact the schools so they can request that parents not stop there.

Motion by Grinnell
Supported by Hubbell

To recommend no changes at this time. If the increased enforcement and parental education

doesn't improve the situation, the Traffic Committee will reconsider the issue in February.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

6. Install Fire Lanes at Troy Community Center, 3179 Livernois

The Troy Fire Department requests establishment of the proposed fire lanes at the Troy Community Center, 3179 Livernois. Section 8.28, Chapter 106, Troy City Code, provides for the establishment of fire lanes on private property. The Fire Department recommends that the fire lanes shown on the attached sketch be provided to allow proper deployment of and travel by emergency vehicles (fire, police, medical).

Motion by Hubbell
Supported by Kilmer

To recommend that the fire lanes/tow away zones shown in the attached sketch be established at the Troy Community Center, 3179 Livernois.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

7. Install Fire Lanes at The Fairways

The Troy Fire Department requests establishment of the proposed fire lanes at The Fairways Condominiums. Section 8.28, Chapter 106, Troy City Code, provides for the establishment of fire lanes on private property. The Fire Department recommends that the fire lanes shown on the attached sketch be provided to allow proper deployment of and travel by emergency vehicles (fire, police, medical).

This item was initiated by Donald Zelazny by a letter to Councilman Pallotta regarding a parking ticket issued on Fairways Blvd. Enclosed please find the correspondence from Mr. Zelazny. A review of parking restrictions was performed and the findings were as follows:

In the Fairways Condominium complex, some streets are public, and some are private under the ownership of the Condominium Association. Creekside, and the stub of Fairways Blvd. from Rochester to Creekside, are public streets. The oval Fairways Blvd. extending from the public street to Creekside is private (please see attached map). The Condominium Association requested parking restrictions on the public streets within the complex in 1994 (details attached). The parking prohibition was approved by the Traffic Committee and subsequently by City Council for the hours

between 1:00 a.m. and 6:00 a.m. every day, on the public portion.

An inventory of signs shows that both private and public portions have been posted with similar signs, and in addition, parking is restricted on the water main side of all streets within the complex. It should be noted that the approved restrictions are only for the public portion of the streets.

Lt. Matlick reviewed the situation and recommends that for purposes of easy access for fire trucks, the water main side of the "oval" be marked as a "fire lane" since "No Parking" restrictions can be enforced only on public streets. The existing signs that say "No Parking between 1:00 a.m. and 6:00 a.m." on the private portion should be enforced by the association, since City forces do not have authority to enforce on private property.

Barbara Boyajian, 1148 Fairways, President of the Association, said she and most other residents don't want parking to be allowed on the inner circle of Fairways.

Jackie Thompson-Sherwin, another resident, feels parking on the inner circle could impede emergency vehicles.

Lt. Matlick stated that the entire outer circle will be posted as a fire lane. He added that both entrances to the Fairways are currently posted NO PARKING on one side of the road.

Motion by Halsey
Supported by Hubbell

Recommend that the fire lanes/tow away zones shown in the attached sketch be established at The Fairways.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

8. Install 4-way STOP Signs at Charnwood and Malvern

Mr. Allen Quail of 2600 Bretby, president of the Charnwood Hills Homeowners' Association, requests 4-way STOP signs at the intersection of Charnwood and Malvern. Mr. Quail indicated that neighbors in the area have seen many near crashes and feel that 4-way STOP signs will improve safety in the area. He also said Charnwood is used as a cut-through route between Beach and Adams and that motorists travel at high speeds on Charnwood. Mr. Quail was mailed a copy of our brochure on the Neighborhood Traffic Harmonization Program and on STOP signs.

The intersection of Charnwood and Malvern is controlled by STOP signs on Malvern Drive. A traffic volume count showed around 290 vehicles a day on Malvern and 425 vehicles on Charnwood. A sight distance study indicated shrubs and bushes that

somewhat obstructed drivers' line of sight at this intersection. Since there are STOP signs on Malvern, this may not be a major concern. Trimming foliage on the southwest and southeast corners may remedy the sight concern. The intersection is a very low volume intersection, considering that Troy residential streets carry between 300 and 4500 vehicles per day.

Motion by Halsey
Supported by Hubbell

Recommend no changes to traffic control devices at the intersection, and recommend that the shrubbery at the intersection be trimmed to remove the sight obstruction.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

9. Install Fire Lanes at EDS, 1350 John R

The Troy Fire Department requests establishment of the proposed fire lanes at EDS, 1350 John R. Section 8.28, Chapter 106, Troy City Code, provides for the establishment of fire lanes on private property. The Fire Department recommends that the fire lanes shown on the attached sketch be provided to allow proper deployment of and travel by emergency vehicles (fire, police, medical).

Motion by Hubbell
Supported by Kilmer

To recommend that the fire lanes/tow away zones shown in the attached sketch be established at 1350 John R, as requested by the Troy Fire Department.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

10. Remove STOP Signs at Norwich and Witherbee

Two years ago, in response to citizen requests, ALL-WAY STOP signs were placed at Norwich and Witherbee. This item was approved by the City Council without a Traffic Committee recommendation. The item, along with a petition for STOP signs, was forwarded directly to City Council. The residents felt that a STOP sign at that location would discourage cut-through traffic in their neighborhood.

Susan Becker lives at 1001 Norwich, and the STOP sign is in front of her house. She believes that cut-through traffic has not been deterred, and the STOP sign is creating problems for her family. The Troy Police have told her that parking is prohibited near her house because of its proximity to the STOP sign. Parking is prohibited by law within 15 feet of such STOP controlled intersections. Mr. Becker is handicapped and parks in the driveway, and the other three family members park in the street. Ms. Becker would like the sign removed, since she feels it is not serving any purpose.

The Traffic Engineering office also received a letter from Julius Becker, Conservator of the assets of Lillian Harper, 1011 Norwich. Mr. Becker supports the request to remove the STOP sign.

Ann Sawyer (895 Norwich), Pamela Lourim (904 Norwich), Jeanne Swanson (915 Norwich) and Donna Modras (905 Norwich) attended the meeting to object to removal of the STOP sign. They feel that it is still necessary because of the sight obstruction caused by the curve in the road and the cut-through traffic.

Sergeant Redmond pointed out that parking is not permitted in the intersection whether or not there is a STOP sign.

Motion by Hubbell
Supported by Grinnell

To recommend no changes to the existing traffic control devices.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

11. Reduce Speed Limit on Northfield Parkway Between Wattles and Long Lake from 35 MPH to 25 MPH.

Mr. Don Siefkes of 4370 Northfield Parkway requests reduction in speed limit on Northfield Parkway. Mr. Siefkes reports that the noise from the roadway is such that it interferes with the enjoyment of their homes and yards and that the speed is definitely a hazard for the children who, even though they're not supposed to, do play alongside the roadway. He also indicated speeds in excess of 60 MPH are common both during the day and at night. Mr. Siefkes also felt that the Neighborhood Traffic Harmonization Program may be applied to their neighborhood. Though the NTHP is intended for streets classified as residential, with a 25 mph speed limit, City staff was willing to work with residents on Northfield Parkway, which is a City secondary thoroughfare. Mr. Siefkes also submitted a petition signed by 33 residents whose houses back up to Northfield Parkway.

In response to this request, City staff mailed a brochure of the program and a "Traffic Information Survey" to be completed and sent back to proceed with the program. In the meantime, City staff had also performed speed studies and noise measurements that

were of concern to the residents. The speed measurements taken on four occasions at different times of the day showed average speeds of 33.67, 36.63, 36.57 and 36.48 mph. Noise measurements were taken just behind the sidewalk and showed readings between 51 and 71 decibels; the measurements 50 feet from the sidewalk were considerably lower. One other observation from the noise measurements was that the noise levels varied very little for vehicles traveling at 45, 35, and 25 mph speeds (± 4 db average).

The speed limit on Northfield Parkway was established by a Traffic Committee recommendation in September 1987 that was subsequently approved by City Council on September 28, 1987. The speed limit was established based on an engineering study as prescribed by the Michigan Manual of Uniform Traffic Control Devices. The guidelines call for setting a speed limit at the 85th percentile speed as observed by speed studies and based on the functional classification of the roadway. This is the standard procedure followed around the country and is used to set the majority of speed limits on roadways such as Northfield Parkway.

An important factor in setting speed limits is the functional classification of the roadway, meaning, what is the primary function of the roadway. Functional classes differ based on the access and mobility. For example, the freeways are planned to have very limited access while mobility is high, so speed limits are in excess of 55 mph.

Since residential roads are planned to have greater priority for access and less priority for movement, that is reflected in the 25 mph speed limit that is set. Northfield Parkway has always been planned to be a collector street to serve a higher function than residential roads between Wattles and Long Lake, and that is the reason that when planning residential subdivisions along its stretch, none of the homes front the roadway. As can be seen, this is consistent with the planned function of the roadway; i.e., lesser access and more mobility than the residential streets. The speed limit is set at 35 mph, and the road also was designed to accommodate 35 mph traffic; therefore, all visual cues on the roadway tell the driver that it is a higher-speed type of street (35 feet wide pavement, etc.); this is reflected in the average speeds being close to 35 mph. Lowering the speed limit will not assure reduction in speeds since it is proven that unrealistic speed limits have no effect on drivers. It also puts our enforcement officers in a difficult position enforcing unreasonable speed limits, which may not be defended in court.

Recent speed studies indicate very similar results. Our Police Department has targeted the area for speed enforcement and indicates no major speeding problems on the stretch of roadway. City staff also performed a traffic crash analysis to determine if there have been any crashes in the stretch of concern between Wattles and Wintergreen. Our analysis shows one reported rear-end crash in this section of Northfield Parkway in the past three years.

Consistent with the Neighborhood Traffic Harmonization Program guidelines, City staff performed speed and noise measurements with the cooperation of residents during three different time periods identified by the residents. One study was performed between 2 and 3 PM in the backyard of 4310 Devonshire, since this time period was identified as a high traffic time with high school dismissal.

Following is a summary of the results:

Vehicles observed between 2:15 and 3:00 PM
Average speed: 32.39 MPH
Average noise when vehicles travel on Northfield Parkway:
At the backyard patio: 59.12 decibels
Inside the house (breakfast nook): 57.16 decibels

Mr. Siefkes felt that another peak hour is between 5 PM and 6 PM. Therefore, a speed study and a noise level measurement were taken during that time period also. Following is a summary (October 01, between 4:45 and 5:55 PM)

Average speed: 34.11 MPH. Max speed recorded 48 MPH, 85% traveling under 42 MPH
Average noise: 60.25 decibels Noise during 85% of the time was less than 65 decibels

Further, another time identified was Saturday afternoon between 12 and 4 PM. City staff went out on the scheduled Saturday, October 06, and performed the study between 1:15 and 2:00 PM. Following is a summary:

Average speed: 34.67 MPH. Max speed recorded 41 MPH, 85% traveling below 39 MPH
Average noise: 60.17 decibels. Noise during 85% of time was less than 65 decibels

All the noise measurements indicated that the noise levels are below the acceptable roadway noise level as prescribed by the State which is a sustained noise of 67 ± 4 decibels.

Ken Mittlebrun lives at 1472 Brookdale, on a cul-de-sac off Northfield. He sees a lot of foot and bike traffic. He said the traffic speed trailer did not get a true picture of speeds, as it was there during rush hour, when traffic is heavier and slower.

Against the change to 25 mph:

Residents presented a petition signed by 53 neighborhood residents requesting that the speed limit remain at 35 mph on Northfield Parkway.

Robert Angel of Somerset Place said that he realizes that motorists won't observe unrealistic speed limits. He said there are sidewalks for pedestrians and that all the homes along Northfield back up to the roadway. Mrs. Angel said she has contacted homeowners in three other area subdivisions and none were aware that residents had raised this issue with the City.

Mr. Halsey agrees that Northfield Parkway was designed as a collector street and provides adequate sidewalks for pedestrians.

We also received a call from Ms. Gwen Schmidt of 1064 Paddock Court, who indicated that the speed limit on Northfield Parkway should not be changed since it serves a higher purpose than the residential street. Ms. Schmidt also indicated that

the petition that was submitted earlier was not representative of the Homeowner's Association and that she is circulating a petition against reducing the speed limit. Ms. Schmidt also indicated that some residents signed both petitions.

At the meeting, Ms. Schmidt, a member of the Somerset Place Homeowners' Association Board, said she has two small children and doesn't think 35 mph is a problem if it is enforced. She feels that 25 mph is not realistic, and if noise is a problem, the affected homeowners should use landscaping as a buffer. She also stated that Northfield Parkway was there first, before the subdivisions, and the residents knew what they were buying. She mentioned that the majority of Troy High School traffic exits onto Long Lake, not Northfield.

Craig Sable, 1063 Paddock Ct., wrote in opposition of the proposal to reduce speeds and indicated the "speeders" may just be random drivers ignoring the law. He believes enforcement of the current 35 mph limit will suffice.

Karen McInerney, 4712 Bentley, President of the Merihill Acres Property Homeowners Association, wrote on behalf of the homeowners requesting that the 35 mph limit be maintained.

Bill and Denise Hart, 1086 Paddock Court, wrote in support of the 35 mph limit. They suggest that the Troy High administration could help reduce speeding concerns by revoking parking privileges for students ticketed for speeding on Northfield.

Debbie Cummings wrote that she and her husband originally supported lowering the speed limit, but have changed their minds. They feel the answer is stronger enforcement by the Police Department.

Sergeant Redmond said the Police Department has targeted the area for selective enforcement a number of times, and has also put the radar trailer out on several occasions. He said that he has not seen any real speeding problems on Northfield Parkway.

For the change to 25 mph:

Ken Mittlebrun lives at 1472 Brookdale, on a cul-de-sac off Northfield. He sees a lot of foot and bike traffic. He said the traffic speed trailer did not get a true picture of speeds, as it was there during rush hour, when traffic is heavier and slower.

The radar trailer has been installed on two occasions, once for 12 hours and once for 26 hours.

Jim Guisinger, 1471 Brookdale, said a lot has changed from when speed limits were set in 1987. Northfield Road south of Wattles has the same characteristics as the north end, but has a 25 mph limit. Dr. Abraham explained that the characteristics are not the same, as the road south of Wattles is not a through street, and dead ends at two schools (Bemis Elementary and Boulan Park Middle School), hence the lower speed limit.

Dilip Desai, 4310 Devonshire, mentioned that Beech has the same physical characteristics as Northfield, and has a 25 mph speed limit. Dr. Abraham said that

Beech is considered a "scenic route" within the City, is narrower and has hidden driveways. The City's Master Plan designated Northfield Parkway in this section as a secondary thoroughfare to relieve congestion on the mile roads.

Tom McClure, 4265 Gaylord, said 35 mph wouldn't be bad, but motorists exceed the limit.

Keith Blasium, 4385 Gaylord, said Northfield Parkway is an outlet for the subdivision. He is concerned about his safety while mowing the edge of his lawn near the street. He also said Northfield, north of Long Lake, lowers to 25 mph and then up again. Dr. Abraham said this is because of the elementary school in the area, and the lower speeds are limited to school arrival and dismissal times. Mr. Blasium then asked about having a dual speed limit on Northfield, or a flashing light due to the high school. Dr. Abraham said that wouldn't address the concerns of the petitioners, as the area of concern is not near the high school, and flashing signals with lower speed limits normally are used only for elementary and middle schools.

Motion by Palchesko
Supported by Diefenbaker

To recommend no changes to the speed limit on Northfield Parkway.

YEAS: 6

NAYS: 1 (Kilmer)

ABSENT: 0

MOTION CARRIED

Mr. Kilmer voted "nay" because 250 petitioners want the speed limit lowered. He also feels that if the speed limit is set at 25, people will drive 35; if it is set at 35, people will drive 45.

PUBLIC HEARINGS

12. Request for Sidewalk Waiver – 2035 Virginia

RWT Building is requesting a waiver for the sidewalk at 2035 Virginia. There are no sidewalks existing near this parcel. Petitioner has signed an "Agreement for Irrevocable Petition for Sidewalks."

The public hearing was declared open.

No one wished to be heard.

The public hearing was declared closed.

Resolution #2001-11

Motion by Hubbell
Supported by Palchesko

WHEREAS, City of Troy Ordinances, Chapter 34, Section 8 (D) allows the Traffic Committee to grant temporary waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, RWT Building has requested a temporary waiver of the requirement to construct a sidewalk on the property line because Virginia is already developed with no sidewalks existing.

WHEREAS, the Traffic Committee has determined the following:

- a. A variance will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk on the property line would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way,

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee grants a temporary one-year waiver of the sidewalk requirement for the property at 2035 Virginia, which is owned by RWT Building.

YEAS: 6

NAYS: 0

ABSENT: 0

ABSTAINED: 1 (Mr. Grinnell abstained because the petitioner is his neighbor)

MOTION CARRIED

13. Request for Sidewalk Waiver – 2027 Virginia

RWT Building is requesting a waiver for the sidewalk at 2027 Virginia. There are no sidewalks existing near this parcel. Petitioner has signed an "Agreement for Irrevocable Petition for Sidewalks."

The public hearing was declared open.

No one wished to be heard.

The public hearing was declared closed.

Resolution #2001-12

Motion by Diefenbaker

Supported by Hubbell

WHEREAS, City of Troy Ordinances, Chapter 34, Section 8 (D) allows the Traffic Committee to grant temporary waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, RWT Building has requested a temporary waiver of the requirement to construct a sidewalk on the property line because Virginia is already developed with no sidewalks existing.

WHEREAS, the Traffic Committee has determined the following:

- a. A variance will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk on the property line would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way,

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee grants a temporary one-year waiver of the sidewalk requirement for the property at 2027 Virginia, which is owned by RWT Building.

YEAS: 6

NAYS: 0

ABSENT: 0

ABSTAINED: 1 (Mr. Grinnell abstained because the petitioner is his neighbor)

MOTION CARRIED

14. Other Business

The members had no other business to discuss. Dr. Abraham reminded the Traffic Committee that we lacked a quorum at two recent meetings, and suggested the members call ahead of time if they will be unable to attend.

15. Adjourn

Motion by Hubbell
Supported by Kilmer

To adjourn the meeting at 8:45 p.m.

YEAS: 7

NAYS: 0

ABSENT: 0

MOTION CARRIED

\\TESLA\TRA\aaa Traffic Committee\01-10-17 minutes draft.doc

Meeting was called to order at 7:35 P.M., on Tuesday, October 23, 2001.

PRESENT: Roger Kaniarz
Kevin Lindsey
Rosemary Kornacki
Brian Wattles
Ed Bortner
Sucheta Sikdar, High School Rep.

STAFF: Loraine Campbell, Museum Manager
Brian Stoutenburg, Director

ABSENT (EXCUSED): Muriel Rounds

ITEM #1 APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 25, 2001.

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 25, 2001
AS WRITTEN.

ITEM #2 OLD BUSINESS

A. Church and Parsonage Status:

The Phase II Report from Gerald Yurk Associates is completed. John Szerlag, Gary Shripka, Mark Stimac, Steve Pallotta, Brian Stoutenburg, Loraine Campbell and the Ad Hoc Church Committee will meet on November 15 to receive the report.

Gladys Hughes, Troy Methodist Church historian, has supplied a record of church renovations, the interior layout prior to the 1940s renovation, and additional information on the congregation's activities. Additional materials may be available from the archives at Adrian College. Loraine will follow through.

B. Programs:

Good weather helped boost Harvest Home and Heritage Day Weekend attendance to a total of 730. The tribute to Harriet Barnard was a success.

Museum program announcements have been prepared for the Winter 2002 Troy Today.

The Troy 2001 Lecture Series took its first day trip to the Old Mariner's Church and Dossin Great Lakes Museum. Thirty-two attended and gave very positive reviews. Loraine is considering offering three monthly day trips next summer instead of a summer lecture series.

C. Museum Sign:

No change. It was suggested to do a letter size test between now and the next meeting to determine minimum legibility from the road.

D. Gazebo:

The basic roof structure is completed. Cedar shake shingles are being installed now. Painting specs have been sent out to three companies for price quotes. The structure will be painted white. The deck and stair treads will be stained hunter green to match the trim on the base.

E. Lead and asbestos abatement:

Caswell stripping is half completed. There has been some concern regarding raised grain and fuzziness on the old clapboards. As the wood dries, the raised grain seems to go back down.

The specs for contaminated soil removal around Caswell recommend removing sod plus 6" of soil from the base of the building out 10' on all sides. Loraine has suggested the basement walls be waterproofed at the same time. NTH is in agreement and will develop additional specs.

Loraine and Brian are waiting for revised prices based on new NTH TCLP figures for the lead abatement for the wagon shop.

F. Review of Photo Usage and Oral History Forms

The meeting with Lori Bluhm has been deferred to a later date.

ITEM #3 NEW BUSINESS

A. Troy Historical Society Liaison Report:

The Troy Historical Society held their deferred annual meeting on October 9, 2001. Seventeen were in attendance. Loraine provided a report on developments at the museum during the past year. The Society is ready for the Hand and Eye Show scheduled November 17.

B. New Acquisitions:

See attached report. Of special note is the acquisition of some of the personal papers of former Mayor Huber. Jeanne Stine has also agreed to donate her papers to the archive.

C. Physical Maintenance and Conservation Plan:

Upon the quarterly budget review, Brian and Loraine determined there is \$25,000 available to retain the professional services of an architect to initiate development of a comprehensive Physical Maintenance and Conservation Plan for the Museum. This plan would be presented to Council.

D. Other:

Loraine met with Jack Turner regarding the Veteran's Committee's inquiry to relocate the Blue Star Mothers' Memorial to an appropriate site at the new Veteran's Memorial Plaza. The Commission members did not oppose the move, but suggested that the Veteran's consult the Blue Star Mothers to see if they have any objections.

ITEM # 4 REPORTS AND COMMUNICATIONS

A. **Visitors:** No report.

B. **Staff:**

Loraine discussed with staff the Commission's suggestion to have dinner together. Because of commute times and work schedules, the staff suggested a breakfast or lunch during working hours would be preferred.

C. **Commission Members:**

The Council has noted of the vacancy on the Historical Commission.

The Troy Historical Commission meeting adjourned at 8:45 P.M.

The next regular meeting is scheduled on Tuesday, November 27, 2001. Kevin Lindsey will take minutes at that meeting.

Respectively submitted,

Loraine Campbell
Museum Manager

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, October 23, 2001 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Chamberlain
Kramer
Pennington
Starr
Storrs (arrived 7:35)

Absent

Littman
Reece
Waller
Wright (departed 7:40)

Also Present:

Mark Miller, Interim Planning Director
Susan Lancaster, Assistant City Attorney
Jordan Keoleian, Student Representative
Doug Smith, Real Estate and Development Director

2. MINUTES

Moved by: Mr. Kramer

Seconded by: Mr. Wright

RESOLVED to approve the September 25, 2001 Planning Commission Special / Study Meeting Minutes.

Yeas:

All Present (5)

Absent:

Littman
Reece
Storrs
Waller

RESOLUTION APPROVED

Moved by: Mr. Kramer

Seconded by: Mr. Wright

RESOLVED to approved the October 2, 2001 Planning Commission Regular Meeting Minutes were approved.

Yeas:

All Present (5)

Absent:

Littman

Reece

Storrs

Waller

RESOLUTION APPROVED

Mr. Storrs arrived at 7:30 P.M. and Mr. Wright departed at 7:40 P.M.

STUDY ITEMS

3. **BOARD OF ZONING APPEALS REPORT**

Mr. Storrs stated there was no report at this time.

At this time, Mr. Chamberlain asked for a resolution to excuse Mr. Waller, Mr. Reece, Mr. Littman, and Mr. Wright.

RESOLVED, that Mr. Dave Waller, Mr. James Reece, Mr. Lawrence Littman, and Mr. Wayne Wright, be excused from attendance at this meeting.

Moved by: Ms. Pennington

Seconded by: Mr. Starr

Yeas:

All Present (5)

Absent:

Wright (excused at 7:40 p.m.)

Littman

Reece

Waller

RESOLUTION APPROVED

4. CURRENT DEVELOPMENT REPORT

Mr. Miller stated that Staff has been working with SDS/Wireless, TrinTel, who are currently offering a free service, which the City is utilizing. City Staff has been working with TrinTel to inventory all of the wireless communication antennas in the City. This has been completed and we are now going to examine the gaps in services. Staff wanted to notify the Planning Commission of this study and Mr. Miller asked if the Planning Commission wanted this item discussed at another Special Study Meeting.

Mr. Chamberlain stated that the service providers will select their locations and if directed by the Planning Commission, would cause the city to take ownership and accept responsibility for the wireless communication towers.

Doug Smith, Real Estate and Development Director, stated that he has met with IKEA on a weekly basis regarding the southeast corner of Rochester Road and Big Beaver Road. IKEA is going to ask City Council for a consensus vote. IKEA would then go through the normal rezoning process. IKEA has agreed to redesign the building and provide additional masonry building materials.

Mr. Chamberlain asked how this would be enforceable.

Mr. Smith stated that we will work with them and City Council. That is a commitment on IKEA's part.

Mr. Chamberlain asked what is the timeline.

Mr. Smith stated 2002, depending mainly on the approval process. IKEA currently has all the property under contract.

Mr. Chamberlain asked if we would see it first.

Mr. Smith answered yes. If Council agrees to the development concept, it will come back to the Planning Commission.

Mr. Smith stated that Midtown Square has sold 60 units in 60 days. The remaining units will be ready for occupancy approximately in the January/February timeframe.

Mr. Smith stated that at the City Council study session, approval was granted for an economic feasibility study for the Civic Center. This will be prepared by experts in conferencing and tourism. The RFP is due this Friday, October 25, 2001. Award would be made sometime in November and the initial report should be back in January. These experts all have great experience in the Metro Detroit market.

Mr. Smith further stated that Big Beaver Road, east of I-75, should be opened for traffic the first week of November. There was a bonus provision in the contract for finishing early and the project is approximately three weeks ahead of schedule. There have been problems with the Livernois area between Wattles and Long Lake and will probably be ready mid to late November.

Mr. Smith said he is working on trying to improve the Troy-Oakland Airport with connection to Meijer Drive and lengthen the runway.

Mr. Chamberlain asked who owns Meijer Drive.

Mr. Smith stated that the southern half is owned by the City of Royal Oak and the City of Troy owns the North portion.

Mr. Chamberlain asked if there were any plans to fix Meijer Drive.

Mr. Smith stated that we are working with Royal Oak for improvements. Staff is working with Detroit Edison to place wires underground.

Mr. Miller stated that the other Big Beaver Road construction project between Cunningham and Adams has experienced several problems and will not be completed this year. Temporary improvements will be made just to get through the winter.

Mr. Chamberlain asked about Livernois and Wattles Roads as to why the City didn't fully build out that intersection.

Mr. Smith stated that he did not know the answer.

Mr. Chamberlain asked why did we spend all that time and money and not put in right turn lanes.

Mr. Smith stated that was a good question and that he will investigate. He further stated that Mark Miller and himself would talk with John Abraham, Traffic Engineer.

Mr. Kramer stated that there is numerous vacant retail space at Coolidge and Maple roads.

Mr. Smith stated that there is activity in all the empty spaces at Mid Town Square. Vacancies are due to the lack of renewals. Partly because of the downturn of the economy and it is having an effect; however, I believe it will be dying down. He stated it as more a short term than long term situation.

Mr. Chamberlain stated it might be because we already have too much commercial.

5. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

Mr. Smith stated there is three million dollars in increments designated to pay off the bond. They have gotten an "A" rating. The DDA is looking at a five (5) year capital plan and a mission statement.

Mr. Chamberlain stated that the DDA identified a problem at Big Beaver and Crooks roads regarding the driveways for several small businesses. It is the Planning Commission's charter, not the DDA's charter to address these types of problems. The Planning Commission will start working on these Land Use and Zoning studies.

Mr. Chamberlain further stated that if there is a problem at Big Beaver and Crooks, then there is also a problem at Dequindre and Long Lake Roads. If we are going to do an area study, we should do both locations.

Mr. Smith stated that the DDA agreed that the Planning Commission should tackle the Land Use and Zoning issue; however, the DDA felt they may be able to help financially if resources are needed.

6. PROPOSED FUTURE LAND USE PLAN

Mr. Chamberlain had the following comments and proposed changes to the Future Land Use Plan text.

Page 17 – Fill in gap in first paragraph.

Page 19 – Add Natural Features Map.

Page 20 – Last paragraph, change five to four

Page 23 – There is no indication in this plan or on the maps to indicate which sidewalks or paths should be 8', 10', or more in width. Create a legend to identify the widths of the sidewalks, bicycle or safety paths.

Mr. Kramer stated City Council already identified sidewalks on all major thoroughfares. He stated that as part of the plan, we should identify what gaps are needed to fill in the needed site plans.

Mr. Chamberlain commented on the Transportation Plan, stating that the key should be changed to indicate the size of the safety paths. Further, stated that we should actually indicate the width for the bikeway/walkway widths.

Mr. Storrs stated we still have a bike route through the City; is it incorporated in this plan. He asked if it should it be indicated on the Transportation Plan.

Mr. Chamberlain stated it it's going to be a bikeway plan, we could reference the bikeway route back to another map as here is the bikeway route

Mr. Starr commented on the phrase "Modified Plan Adopted" and suggested that the terminology be changed.

Mr. Miller stated we need some terminology.

Mr. Chamberlain stated that we should go to the Future Land Use Plan Map and remove the terminology and place it on the Transportation Plan. It should have a different name. We shouldn't be using these maps just to jog staff's memory. What we are saying "Modified Plan Adopted" does not indicate the correct intent.

Mr. Kramer asked if SEMCOG or SMART, is affecting anything on our Transportation Map.

Mr. Miller stated that we should to take a closer look at that, although the City is aware that Big Beaver is identified as a "Proposed Rapid Transit Corridor" and proposed location of SpeedLink. SpeedLink is a rubber-tired form of rapid transit initiated and researched by the Metropolitan Affairs Coalition, that would be quicker, easier, and less expensive to install than light rails.

Mr. Chamberlain stated a transit corridor is already indicated.

Mr. Kramer agreed that the transit corridor is identified.

Mr. Storrs asked about the Big Beaver Urban Design Study.

Mr. Miller answered that there was a City Center/Big Beaver Corridor Urban Design Plan prepared in 1988. This Urban Design Plan presented design guidelines to improve the corridor.

Mr. Chamberlain stated we are working on transportation.

Mr. Miller stated that Big Beaver Transit Corridor is a better identifier than Urban Design.

Mr. Kramer commented he agreed, identify transit corridor.

Mr. Smith stated revisions are being made on the transit center of Mid Town Square to correct the location.

Mr. Storrs stated that in earlier discussions on the Urban Design Plan, wasn't it brought up about having a pathway system and landscaping.

Mr. Miller answered yes, and it included road improvements, street lights, crosswalks, etc. It is not transit related, more of a design. Transit corridor is not identified clearly and should be clarified.

Future Land Use Plan

Mr. Chamberlain stated that the legend should refer to the Natural Features Map. Also, the Modified Plan Adopted should be removed.

Mr. Kramer asked if these maps are ever going to be made available on the City's web site.

Mr. Miller stated the Natural Features Map is currently available and, therefore, the City can load and make any planning documents available.

Mr. Chamberlain stated that we should have all final comments ready for our next Study meeting in November.

Mr. Starr commented there should be an identifier of the City sections. Include a legend to show how to count sections.

Mr. Kramer commented that Mr. Waller had made a comment at a previous meeting regarding expanding the Planned Auto Center. He asked if Mr. Miller commented on this in the agenda explanation.

Mr. Miller stated that the Planning Commission should understand that auto dealerships are a form of retail sales and the enlargement of the center could encourage retail expansion into Light Industrial areas.

Mr. Chamberlain stated that the City had made a conscious decision years ago regarding planned auto dealerships in the middle of light industrial. The problem is, it keeps growing with successful dealerships.

Mr. Miller commented that commercial encroachment could result from this. Mr. Miller also stated that Mr. Waller's recommendation was to expand the Planned Auto Center to Axtell Street and that would include some B-3 zoning classifications.

Mr. Starr stated that the Planned Auto Center would be outside of Light Industrial areas and merge with commercial zoning classifications.

Mr. Storrs recommended not to enlarge the center and square it off.

Mr. Kramer stated Hollywood Market is next to the auto dealership.

Mr. Chamberlain commented that Hollywood Market is kind of the odd man out.

Mr. Storrs stated that we shouldn't show that finger.

Mr. Chamberlain stated we should scale it back and get rid of the finger and square off and not go to Axtell. Further, stated that we will bring this back in our November Study meeting and get this together and get ready for a public hearing to be held during the January regular meeting.

Draft Natural Features and Wetland Ordinances

Mr. Storrs stated that Natural Features' letters went out to all the property owners. Did the City send itself a letter. Is the City ready to live with this and go through all the opposition. The biggest impact would be to the Parks and Recreation Department.

7. LAND USE AND ZONING STUDY – Crooks Road at Big Beaver Road

Mr. Miller stated that at the most recent Downtown Development Authority meeting, the existing conditions of the properties at Crooks Road and Big Beaver Road was identified as an area for potential study. The Planning Staff has prepared preliminary study area maps including the future land use designations, zoning and existing land uses. The Planning Department is requesting that the Planning Commission verify the study area and provide preliminary comments. Staff will then conduct further analysis of the study area to identify specific problems and develop recommendations for the November Special/Study Meeting.

Mr. Chamberlain stated he wants to include Dequindre and Long Lake.

Mr. Smith stated that Kelly Services wants to place a traffic light on Butterfield and Crooks. It is scheduled to go before the Road Commission and will more than likely be approved.

8. PROPOSED P.U.D. (PUD-1) – Troy Baptist Church et al, East side of Rochester, South of Hartwig, Section 2

The Troy Baptist Church, Robertson Brothers Company and Franklin Property Corporation have submitted a preliminary proposal for the development of the 80 acre Troy Baptist property on the east side of Rochester Road south of South

Boulevard, within the R-1D Zoning District. This site has approximately a quarter mile of frontage on Rochester Road and extends east from Rochester approximately one half mile. Troy Baptist also owns a series of lots immediately north of the 80-acres site, on the north side of the platted but unopened one half-width Lovell Street right-of-way. The proposed development includes a church complex, an approximate 5-acre area proposed for low rise office use, and approximately 20 acres of residential condominium development. This submittal is considered preliminary due to the incomplete nature of the site plan. City staff recognizes that considerable information has been submitted by the petitioner; however, the site plan is lacking information as required by the Zoning Ordinance, as determined by the Planning Department and other City Staff. Therefore, staff cannot complete a full review or submit the PUD proposal to the Planning Commission for consideration until a complete application is provided by the petitioners.

At your March 27, 2001 Special/Study Meeting this preliminary proposal was presented by the petitioner (minutes enclosed). The Planning Commission generally demonstrated a favorable opinion towards the concept of the PUD proposal. Therefore, the petitioners have moved forward to develop a more complete PUD package and are requesting additional discussions with the Planning Commission.

The issue of the applicability of the PUD provisions to this proposal, have not changed since March of 2001 and are as follows:

- A. Are the predominant uses consistent with the intent of the Master Land Use Plan;
- B. Are the physical features of the proposed development, such as building height and bulk, setbacks, and development density consistent or compatible with the adjacent areas;
- C. Open space and landscaped areas are intended to be a primary feature of the PUD. Is there substantially more open space area than required for typical developments within the underlying Zoning District, recognizing that most of the wetlands, approximately 20 acres, are State regulated and would be preserved to some degree;
- D. Stormwater detention shall be provided in open unfenced basins or underground. The petitioner is proposing detention within the wetlands and no other detention is indicated;
- E. Parking shall meet the Zoning Ordinance standards, which appears to be feasible and ;

- F. It is intended that the PUD will be implemented as a single coordinate and cohesive development.

The Planning Department recommends that the Planning Commission provide input to the petitioners regarding the proposed PUD. Then, City Staff can meet with developer and clarify specifically the necessary revisions and additional information required. Once the complete information is provided, City Staff can conduct a complete review and submit the proposal to the Planning Commission.

Mr. Chamberlain commented on increasing the height and that we need more site data because the site has expanded from 80 to 90 acres. If we go this route, we are going to need street vacations. We'll require minimal sidewalk provisions. Would like to see a little more effort made for provisions for pedestrians and who will eventually own the wetlands.

Mr. Chamberlain also stated that another issue is the office use being inconsistent with the Master Land Use Plan. This is the biggest question for the Planning Commission. We need to look at that closely and provide some information to the developer. One thing we looked at in this area was residential, and just by itself, the density average is 1.4 units per acre including the wetland. He was also puzzled by the large amount of parking spaces for the church and asked why so many spaces.

Mr. Chamberlain asked if the future Senior Housing is identified to be completed in the future. This will need to be addressed. City Staff requires more detailed information. Further, stated that a PUD shouldn't identify future uses. Any vacant area as approved, will remain vacant. The whole concept of a PUD is that the whole 80 or 90 acres will be a planned development including all uses.

Mr. Chamberlain stated the major issues include; site plan information, encroachment on the north border by other properties, tree preservation, walkability, senior housing, and traffic impact.

Mr. Starr commented that a PUD basically becomes an amendment to the City Ordinances and Charter and that there is no time limit. The future and proposed uses are a problem and should be clarified.

Mr. Chamberlain stated to the petitioner that this is an informal meeting and asked the petitioner when they would be ready to submit for formal consideration.

Andrew Milia, joint petitioner with Troy Baptist, Franklin Properties, and Robertson Brothers were present to answer questions and provide more input. He stated more detailed information was provided and that Mr. Jehle will make a presentation.

Mr. Chamberlain stated he wanted 3-D models before next study meeting, not after.

Mr. Jehle, Robertson Brothers Co. stated that we have acquired all the backyards but two on the north boundary. Rochester Villa is to the south of our site and Alibi restaurant is to the north. There are 89 acres of which Troy Baptist currently sits on 9 ½ acres with 97,000 square feet of church. There will be 140,000 square feet of church in second phase. There is an overlapping situation of church services and that is why there is such a large parking area.

Office building area is 40,000 square feet and will be next to the Alibi restaurant.

Since we met with the Planning Commission in March, we have pulled together a series of the prominent brokers that sell homes in the City of Troy to determine what might be possible here and what were their thoughts of residential on Rochester Road. Their opinion is that the office would provide a barrier for residential uses. There will be 142 condominiums.

He further stated that commuting patterns are different for these types of condominiums. There is not the normal peak volumes because the residents don't normally have jobs.

The Church's peak volume is all on Sunday. A pedestrian walkway system is provided, which allows access to the office.

There is also included an environmental trail system in the wetland area.

The stormwater detention is proposed in the wetlands. This can be accomplished with an earth and berm system. In addition, there is consideration to plan for a 10 year storm.

He further stated that Mark Miller and City Staff provided a mailing list of adjacent property owners and we met with the neighbors. As a result of neighbors' input, we moved buildings away from the east property lines. The site plan in the notebook is the most recent version.

Mr. Kevin Johnson, Troy Baptist Church, presented the Church's proposed building elevations and site plan. He added that there are three separate Church services held on Sunday and that each service is represented by 2,100 to 2,300 people at a time.

Mr. Chamberlain stated that everything that is to be built will be shown on the PUD documents and site plan. We want to see it all right now. That's what a PUD is all about.

Mr. Johnson stated that they do not have the proposed senior housing. He also commented on protecting landmark trees and reviewed floor plans and site plans. He stated there will be a preschool area, and 1,150 parking spaces. Further he stated that the problem is the congregation's size. We've looked at what we need to do in this phase to accommodate our congregation now and 20 years from now.

Mr. Chamberlain stated that on Rochester Road, the entrances need to accommodate pedestrian access. Walkways are needed on both sides and one right through the middle of the parking lot, so that pedestrians have safe access. He recommended that the final plans should have considerable sidewalks to access the facilities. Rochester Road sidewalks and connection to Emerald Lakes is necessary for pedestrians. Troy is trying to become a walkable community, with pedestrian safety as being very important.

Mr. Kramer asked for pedestrian connection to Emerald Lakes.

Further he stated, paths should provide access through the flood plains and wetland areas. He asked if this would be usable at all times without flooding.

Mr. Jehle stated the walkway would be designed so it will not be under water; therefore, making it usable.

Mr. Jehle stated that soil conditions and water levels are bad but that most of these condominiums will have basements.

Mr. Kramer commented that he knows the petitioner's will meet the City and State codes relative to fire safety, but will sprinklers be used.

Mr. Jehle stated that the use of block common walls will stop fires between units.

Mr. Kramer stated that the Cherry Hill development built by Biltmore, have sprinklers in the townhouses.

Mr. Robertson stated that with 28 years experience, masonry wall works. If we used sprinklers, there would be no solid wall and then no sound barrier. The wall goes all the way to the roof. Robertson has had fabulous acceptance from residents and is good soundproofing and fire proofing.

Mr. Storrs stated he was still concerned about traffic on south side of the site. He would like to see the primary traffic flow be away from the Rochester Villas.

Mr. Johnston stated that the main entrance will be one way in and one way out.

Mr. Storrs stated that there are a lot of activities, i.e., athletic field, gym, etc. Primary goal is the traffic flow right behind the units that I am concerned about.

He also stated he was concerned about the office and that we have residential across Rochester.

Mr. Chamberlain asked the petitioners when they were planning on bringing this in front of the city.

Mr. Jehle stated 30 days.

Mr. Chamberlain stated he does not want to see any walls with footings that may kill off trees, use pilings to save trees.

Mr. Kramer commented that if we don't see any lights on the soccer field, we can interpret that to mean there won't be any lights on the soccer field in the future. A lighting plan should be provided and should not impact the neighbors.

Mr. Jehle asked what would the requirements be for walls and fencing if we could do it under a PUD. Would prefer to use landscaping rather than walls.

Mr. Chamberlain stated wherever you are required to put a fence, we don't want one with footings. Another concern, is the residential and the lack of sidewalks. The Future Land Use Plan is trying to make Troy a walkable community. We would like to see sidewalks on both sides of the residential road.

Mr. Robertson stated they have looked at sidewalks, but they will reduce the open space and some of the natural features. In the course of their experience since 1973, they have found that this type of market does not need sidewalks. Also, the trip generation is very low so sidewalks aren't necessary.

Mr. Chamberlain stated that in his opinion sidewalks are to be required on both sides of the road.

Mr. Miller commented that the City Traffic Engineer wants a Traffic Impact Study.

Mr. Chamberlain stated that he does not see the Planning Commission being ready to hear this in 30 days.

Mr. Storrs asked if there is going to be pedestrian access to Emerald Lakes and Eister and Suburban Homes Subdivisions.

Mr. Jehle stated yes, they can do pedestrian access.

Mr. Robertson asked if the Planning Commission would consider the December meeting.

Mr. Chamberlain stated that it will not be easy to make December. It will probably be tabled until January.

Mr. Robertson stated their development proposals can always get tabled.

Mr. Chamberlain commented that if we don't set that public hearing, we are going to be really behind. He also stated that City Staff needs a traffic impact statement. He further stated that we could tentatively set this for December and he also questioned the timeframe that notices need to go out to the public before the public hearing.

Mr. Miller commented notice needs to be given 5-15 days prior to the meeting.

Mr. Chamberlain stated that the petitioners need to get with Mr. Miller to provide 3D models of the whole site. Mr. Miller will talk with you about that.

Mr. Storrs commented that back in March we discussed reasons on why we think there should be a PUD here. He also asked why there is an office use.

Mr. Robertson answered that it is a double edge situation that we are dealing with. No one wants the church next to a bar. Robertson doesn't want residential on Rochester Road. Therefore, the office building will look very residential and will fit right in with the proposed uses.

Mr. Storrs stated that it's not how the office building would look or function, the problem is zoning. It creates a zoning problem across Rochester.

Ms. Lancaster commented on the Rabbani zoning litigation, where O-1 was denied by the City and this PUD could affect this case.

9. PUBLIC COMMENT

Ian Coffey, 1146 Hartwig, stated his concern over the PUD. He has been at every meeting with Troy Baptist. He stated his concern over the density and traffic problems. Traffic in that area is already bumper to bumper from approximately 5:15 to 6:00 P.M. Setbacks are a problem. Troy Baptist originally stated in the infancy of this project that they were not going to build a lot of units. Then the second meeting they presented a clubhouse. He stated concern about having a condominium complex next to his back yard. His neighbors feel the same about the project. There is not a lot of setback when comparing houses and condominiums. His opinion was that his property value is going to be reduced.

Mr. Johnston, Troy Baptist Church, stated that he was approached by a cell phone company. He asked for the Planning Commission's opinion and comments about placing a cell phone tower on their property.

Mr. Chamberlain remarked that Mr. Johnston should look at the ordinance requirements.

Mr. Miller stated that if the antennae was placed on the Church as opposed to a free standing tower, only a building permit is required.

Mr. Starr stated it could be integrated into the church steeple

PUBLIC COMMENT CLOSED

GOOD OF THE ORDER

Mr. Miller commented to the members going to the Michigan Society of Planning Conference and to make sure all receipts are in order and keep track of all mileage.

Mr. Kramer stated he could make available the site plans from Cherry Hill Village if anyone was interested. He questioned if this will survive ten years from now.

Mr. Chamberlain stated that this is our first PUD and we have to do it right. The Planning Commission and Planning Department should not be rushed because mistakes cannot be made.

MEETING ADJOURED 9:45 P.M.

Respectfully submitted,

Mark F. Miller
Interim Planning Director

Tuesday, November 6, 2001 - 7:30 AM

Lieutenant Scott McWilliams advised that Police Service Aide Ersig is currently on the Empco list, but not on Troy's version. He continued by stating that he believes there have been a number of top-notch candidates overlooked for one reason or another. In the case before them today, Lieutenant McWilliams reported that the candidate completed all of

Empco's paperwork and is now being considered for every other department except for Troy.

Chair McGinnis believes the only option before them at this time is to place Police Service Aide Ersig on the Troy list exactly at the point where he would fall in.

Captain Dane Slater believes they all agree Empco is at fault and then referred to the letter from them and received by Police Service Aide Ersig, which infers he could have retaken the test, had he known to retake it.

Chair McGinnis asked how would their decision to place Police Service Aide Ersig on the Troy list affect the other 48 candidates and administrative staff. Further, he questioned whether they would be obligated to notify the other candidates.

City Attorney Bluhm does not believe they need to contact the other candidates. However, she added if a candidate contacted the city, the city could then offer them the opportunity to appeal.

Peggy Clifton stated although she would like to see Police Service Aide Ersig on the Troy list, in order to be fair, she suggested that they reconsider the other candidates and determine how they will address this situation the next time.

Chair McGinnis agrees there should be no confusion next time and that they should direct Empco to follow the statute.

Commissioner Cannon asked whether the test is consistent.

City Attorney Bluhm understands it is always the same exam.

Peggy Clifton believes the city should retain Empco because they offer an excellent test service and further believes the communication should be improved between Empco and the candidate.

Moved by McGinnis
Seconded by Cannon

RESOLVED, That Police Service Officer Michael D. Ersig be placed on the City of Troy Police Officer Eligible List and those candidates also similarly eligible will also be placed on the Police Officer Eligible List administratively.

Yes: All-2

New Business:

(a) Appointment of New Member to Fill Vacancy Due to Resignation of Member Sirotti – Term Expires April 30, 2002

Members requested that an evening meeting be scheduled to interview the candidates that applied for the commission's vacancy.

Old Business:

**(a) Amendment to Civil Service Commission (Act 78) - Hearing Rules –
Section 5. Ties**

Moved by Cannon

Seconded by McGinnis

RESOLVED, That the language for the amendment to the Hearing Rules – Breaking of Ties proposed and approved on September 20, 2001 be adopted.

Yes: All-2

Adjournment: The meeting was adjourned at 7:50 AM.

Donald E. McGinnis, Jr., Chairman

Barbara A. Holmes, Deputy City Clerk

The meeting was called to order at 7:30 p.m. by Chairman Max Ehlert in Conference Room C.

PRESENT: David Balagna
Max Ehlert
W. Stan Godlewski
James Moseley
James Peard
Thomas Sawyer
Jennifer Gilbert, Student Representative
Sergeant George Zielinski
Marsha Livingston, Office Coordinator
Lynn McDaniel, Clerk-Typist

ABSENT: John Walker

Moved by Balagna, seconded by Moseley, to EXCUSE the absent member(s).
APPROVED unanimously

Moved by Moseley, seconded by Godlewski, to APPROVE the minutes of the October 8, 2001 meeting as printed.
APPROVED unanimously

AGENDA ITEMS:

1. **7-ELEVEN, INC.**, requests to drop **D. & G. BLATCHLEY, INC.**, as Co-Licensee and add **NISAR SIDDIQUI** as Co-Licensee with 7-Eleven, Inc. in 2001 Specially Designated Merchant (SDM_licensed business located at 2891 Crooks, Troy, MI 48084, Oakland County. [MLCC REF#132394]

Present to answer questions from the committee were Nisar Siddiqui, Co-Licensee applicant for 7-Eleven location at 2891 Crooks Road, and Pedro Hernandez, Field Consultant for 7-Eleven, Inc.

Mr. Siddiqui has been a successful franchisee in California from December, 1986 to October, 2001. In 16 years in California, he had only had one liquor violation. Mr. Siddiqui and his wife will be an active owner on premises. His employees will be adults over 21. He stated that all existing employees have been through TIPS program within the last year and any new employees hired will be put through TIPS. Mr. Siddiqui will have cash registers programmed to have birthdates entered before purchase of liquor is obtained. Mr. Hernandez stated he will be doing spot inspections at location by obtaining electronic computer printouts from cash register to scan birthdates that have been entered. Mr. Siddiqui is currently leasing a home in Troy and intends to purchase a home in Troy soon. Sgt. Zielinski stated background check on Mr. Siddiqui appears in order.

Moved by Moseley, seconded by Ehlert, to APPROVE the above request.
APPROVED unanimously

2. **Committee discussion on Liquor License limitations.**

The committee discussed options available for limiting licenses. Troy currently has 49

licenses, 47 which are active and 2 in escrow. Additional licenses will be allocated to Troy due to an increase in the population. Sgt. Zielinski furnished copies of current criteria and a map showing where current licenses are within the city. The committee would like to look at criterias from other cities similar in demographics such as Southfield, Farmington Hills, Sterling Heights.

Changing verbiage on current criteria was weighed. Care needs to be taken when changing criteria to ensure that applicants are not completely shut off but not make it too easy to obtain a license. The committee would like to put the burden on the license applicant to meet the criteria. Applicants will know exactly what is expected before they apply for a license. It was noted that there was nothing in current criteria about transfers of licenses. Criterias can be used for denials. City Council does not need to have a reason to deny or approve.

Additions to new criteria could include public notification or public forum. Residents, schools, churches, businesses within 300 feet of new or transferred license would be notified of a license application. A sign could be placed on property stating that a liquor license is being applied for at that location. Feedback from public would be important.

The committee discussed that the current criteria from 1993 needs to be enforced. Sgt. Zielinski will make sure applicants will receive the current criteria in packet.

Further discussion regarding criteria changes will continue at the December 2001 meeting.

Motion by Elhert, seconded by Godlewski, that all Class C & B license application packets include current criteria.

Moved by Ehlert, seconded by Sawyer to ADJOURN the meeting at 8:15 p.m.
APPROVED unanimously

LM/lm

ITEM # 1 The Chairman, Lynne Gregory, called the meeting to order at 7:30 P.M., on Thursday, October 11, 2001.

ITEM # 2^{3/4} ROLL CALL **PRESENT:** David Cloyd
Margaret Gaffney
Lynne Gregory
Fern Nelsen
Nancy Wheeler
Michael Gladysz (Student Representative)

STAFF: Brian Stoutenburg, Library Director

ITEM # 3 APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 13, 2001.

Motioned by Nelsen
Supported by Cloyd

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 13, 2001
AS WRITTEN.

Yeas: 5 — Ayes. Cloyd, Gaffney, Gregory, Nelsen, Wheeler

ITEM # 4 APPROVAL OF AGENDA.

Motioned by Nelsen to approve agenda.
Supported by Gaffney

Yeas: 5 — Ayes. Cloyd, Gaffney, Gregory, Nelsen, Wheeler

MOVED, TO APPROVE AGENDA CARRIED.

ITEM #5 ^{3/4} POSTPONED ITEMS ^{3/4} None.

ITEM #6A ^{3/4} DISCUSSION OF SPACE REORGANIZATION. Work continues slowly and should be completed at the end of the month.

ITEM #6B ^{3/4} APPROVAL OF LIBRARY CLOSING DATES.

Motioned by Wheeler to approve Library Closing Dates for 2002.
Supported by Cloyd.

Yeas: 5---Ayes. Cloyd, Gaffney, Gregory, Nelsen, Wheeler

MOVED TO APPROVE LIBRARY CLOSING DATES FOR 2002 CARRIED.

ITEM #7 ³/₄ REPORT AND COMMUNICATIONS

Director's report. The Director's Report is attached.

Board Member comments. Wheeler asked that the list of books for each book group be listed in the Troy Today. Wheeler requested that the Library interloan the videotape of "Chaotic Transitions" when it becomes available in January. Cloyd asked if there was legislation pending restricting email use on library computers as a result of the September 11th terrorism. Gaffney suggested that the Board Packet be photocopied using both sides in order to save paper.

Suburban Library Cooperative. The SLC Library Directors sent a letter of complaint to SIRSI about the problems and requesting a plan of action from the Owner. The Annual Plan for 2001-02 was approved. SLC is investigating ways to reduce telecommunication costs. There was less per capita funding by the State this year. A new salary schedule was approved. A new Centralized Purchasing Policy was approved. A letter was sent to the City of Warren in response to their letter concerning the Centralized Purchasing Policy.

Friends of the Troy Public Library. The Bookstore has cleaned up part of their area and is working on cleaning out the storage areas.

Monthly Reports (June). Circulation for the month of September compared with the same time period a year ago showed an increase of 15.0%. There was an increase in Patron visits by 9.2%. Program attendance was up 21.3%, and the number of library programs offered was up 42.0%

Staff Changes. RESIGNATION: Leovelyn Palaspas, Page.

Gifts. One gift in the amount of \$35.00 was received.

Informational Items. Michigan Librarian (September/October)
October TPL Calendar

Contacts and Correspondence. 23 written comments from the public were noted.

Public Participation. There was no public participation.

The Library Advisory Board meeting adjourned at 8:10 P.M.

Respectively submitted,

Brian Stoutenburg
Library Director

ITEM # 1 The Chairman, Lynne Gregory, called the meeting to order at 7:30 P.M., on Thursday November 8, 2001.

ITEM # 2^{3/4} ROLL CALL **PRESENT:** David Cloyd
Margaret Gaffney
Lynne Gregory
Nancy Wheeler
Michael Gladysz (Student Representative)

STAFF: Brian Stoutenburg, Library Director

Motioned by Wheeler
Supported by Gaffney

MOVED TO EXCUSE FERN NELSEN.

Yeas: 4 — Ayes. Cloyd, Gaffney, Gregory, Wheeler

ITEM # 3 APPROVAL OF MINUTES OF MEETING OF OCTOBER 11, 2001.

Motioned by Cloyd
Supported by Wheeler

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF OCTOBER 11, 2001 AS WRITTEN.

Yeas: 4 — Ayes. Cloyd, Gaffney, Gregory, Wheeler

ITEM # 4 APPROVAL OF AGENDA.

Motioned by Gaffney to approve agenda.
Supported by Cloyd

Yeas: 4 — Ayes. Cloyd, Gaffney, Gregory, Wheeler

MOVED, TO APPROVE AGENDA CARRIED.

ITEM #5 ^{3/4} POSTPONED ITEMS ^{3/4} None.

ITEM #6A ^{3/4} DISCUSSION OF SPACE REORGANIZATION. Work continues slowly. The mechanical and electrical work is to be completed shortly. The painting has been

DATE: November 1, 2001

TO: John Szerlag, City Manager

FROM: Mark Stimac, Director of Building & Zoning

SUBJECT: Permits issued during the Month of October 2001

	NO.	VALUATION	PERMIT FEE
<u>INDUSTRIAL</u>			
Completion (New)	2	\$2,730,000.00	\$15,618.50
Add/Alter	4	\$1,408,440.00	\$8,593.00
Sub Total	6	\$4,138,440.00	\$24,211.50
<u>COMMERCIAL</u>			
Tenant Completion	3	\$1,131,000.00	\$7,001.55
Add/Alter	27	\$1,987,275.00	\$15,240.50
Temp. Office Trailer	1	\$5,000.00	\$170.25
Kiosk	1	\$500.00	\$25.00
Sub Total	32	\$3,123,775.00	\$22,437.30
<u>RESIDENTIAL</u>			
New	5	\$1,086,683.00	\$9,831.45
Add/Alter	27	\$953,710.00	\$8,510.40
Garage/Acc. Structure	11	\$114,205.00	\$2,121.00
Pool/Spa/Hot Tub	4	\$56,000.00	\$730.00
Repair	3	\$25,490.00	\$510.00
Fire Repair	2	\$128,223.00	\$965.00
Wreck	1	\$0.00	\$140.00
Sub Total	53	\$2,364,311.00	\$22,807.85
<u>TOWN HOUSE/CONDO</u>			
New	39	\$3,454,696.00	\$32,759.50
Sub Total	39	\$3,454,696.00	\$32,759.50
<u>INSTITUTIONAL/HOSPITAL</u>			
Add/Alter	3	\$160,000.00	\$1,422.50
Sub Total	3	\$160,000.00	\$1,422.50
<u>MUNICIPAL</u>			
Add/Alter	1	\$169,000.00	\$1,205.45
Sub Total	1	\$169,000.00	\$1,205.45

MISCELLANEOUS

Signs	42	\$0.00	\$4,445.00
Fences	18	\$0.00	\$152.00

Sub Total	60	\$0.00	\$4,597.00
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TOTAL	194	\$13,410,222.00	\$109,441.10
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PERMITS ISSUED DURING THE MONTH OF OCTOBER 2001

	NO.	PERMIT FEE
Mul. Dwel. Insp.	83	\$830.00
Cert. of Occupancy	77	\$3,419.00
Plan Review	74	\$4,218.60
Microfilm	40	\$718.00
Building Permits	194	\$109,441.10
Electrical Permits	245	\$12,736.00
Heating Permits	172	\$8,975.00
Air Condt. Permits	101	\$5,865.00
Refrigeration Permits	1	\$40.00
Plumbing Permits	116	\$9,312.00
Storm Sewer Permits	9	\$175.00
Sanitary Sewer Permits	4	\$140.00
Sewer Taps	46	\$8,886.00

TOTAL	1162	\$164,755.70
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LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF OCTOBER 2001

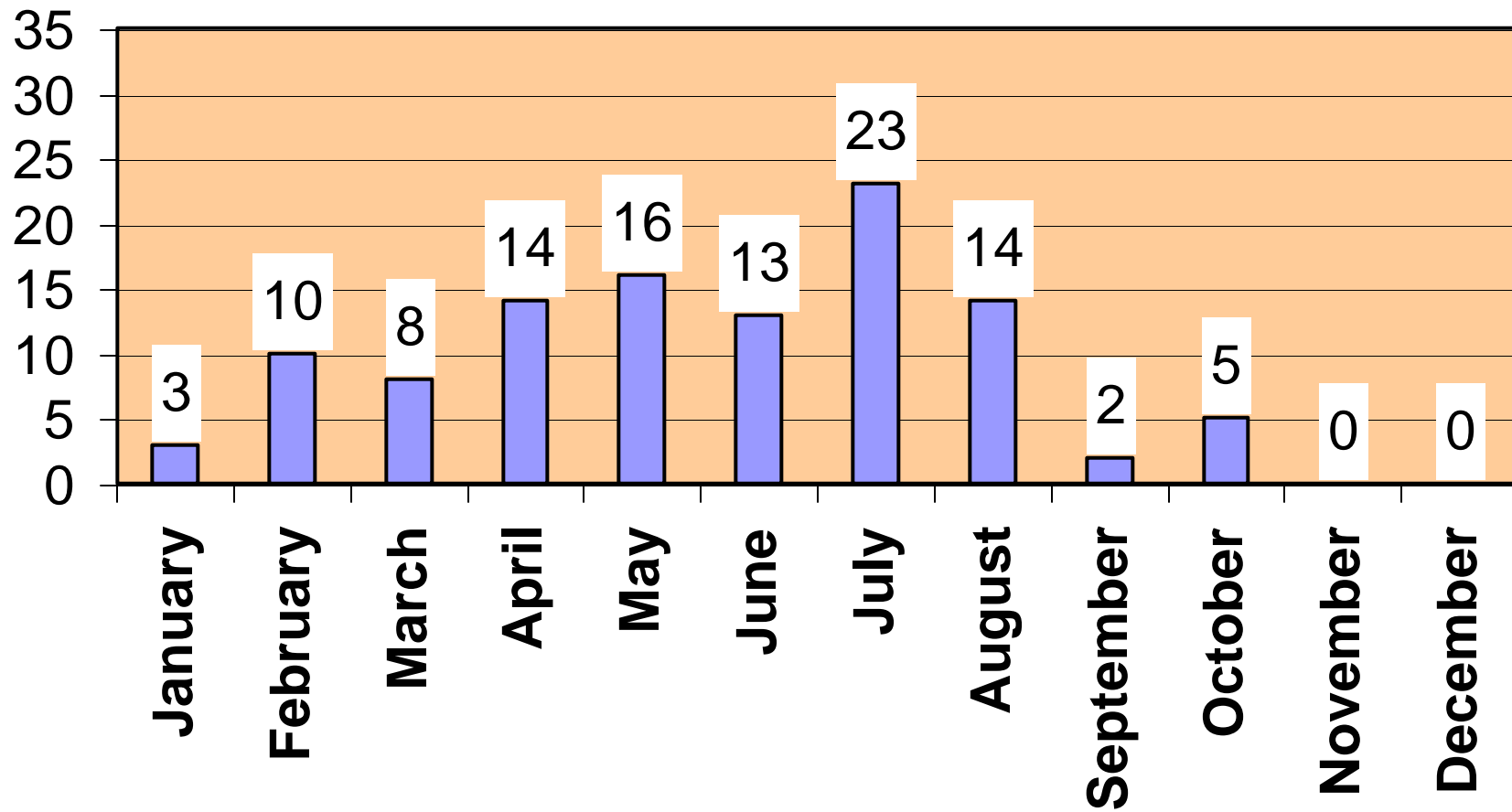
	NO.	LICENSE FEE
Mech. Contr.-Reg.	86	\$430.00
Elec. Contr.-Reg.	29	\$315.00
Master Plmb.-Reg.	13	\$13.00
Sign Inst. - Reg.	4	\$40.00
E. Sign Contr-Reg.	2	\$30.00
Fence Inst.-Reg.	2	\$20.00
Bldg. Contr.-Reg.	21	\$210.00
F.Alarm Contr.-Reg.	2	\$30.00

TOTAL	159	\$1,088.00
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BUILDING PERMITS ISSUED

	BUILDING PERMITS 2000	PERMIT VALUATION 2000	BUILDING PERMITS 2001	PERMIT VALUATION 2001
JANUARY	127	\$9,597,140	119	\$9,498,180
FEBRUARY	110	\$18,640,569	100	\$49,679,118
MARCH	191	\$20,582,303	136	\$6,942,449
APRIL	190	\$8,338,850	204	\$19,831,458
MAY	236	\$46,004,432	207	\$26,481,050
JUNE	248	\$23,437,116	196	\$20,081,116
JULY	171	\$10,035,286	236	\$11,804,808
AUGUST	222	\$15,738,038	211	\$10,626,177
SEPTEMBER	159	\$20,948,232	186	\$11,077,729
OCTOBER	165	\$18,737,731	194	\$13,410,222
NOVEMBER	168	\$19,909,483	0	\$0
DECEMBER	99	\$12,831,351	0	\$0
TOTAL	2086	\$224,800,531	1789	\$179,432,307

SINGLE FAMILY DWELLING PERMITS 2001



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BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF OCTOBER 2001

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	TODD SACHSE	5435 CORPORATE 100	160,000.00
Commercial, Add/Alter	WHEELER BUILDING LLC	578 W FOURTEEN MILE	785,000.00
Commercial, Add/Alter	BEAUMONT SERVICES COMPANY LLC	44199 DEQUINDRE 311	124,717.00
Total Commercial, Add/Alter			1,069,717.00
Commercial, Tenant Completion	GEORGE NINIOWSKY	101 W BIG BEAVER 705	200,000.00
Commercial, Tenant Completion	GEORGE NINIOWSKY	101 W BIG BEAVER 1200	800,000.00
Commercial, Tenant Completion	TODD SACHSE	1337 COOLIDGE	131,000.00
Total Commercial, Tenant Completion			1,131,000.00
Industrial, Add/Alter	THE ALAN GROUP INC	1950 W MAPLE	1,350,000.00
Total Industrial, Add/Alter			1,350,000.00
Industrial, Completion New	MICHAEL S TAROCKOFF	2708 DALEY	840,000.00
Industrial, Completion New	MICHAEL S TAROCKOFF	2700 DALEY	1,890,000.00
Total Industrial, Completion New			2,730,000.00
Municipal, Add/Alter	GEORGE SMITH	4693 ROCHESTER	169,000.00
Total Municipal, Add/Alter			169,000.00
Records 11			Total Valuation: 6,449,717.00

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City of Troy
Residential Building Permits
Issued During the Month of OCTOBER 2001

6321 ANSLOW	10/03/01
6066 ANNABEL	10/10/01
2904 ASHBURY	10/15/01
2373 CEDAR KNOLL	10/25/01
2361 CEDAR KNOLL	10/25/01

Res Building Permits

Number of Permits: 5

City of Troy
Residential Building Permits
Issued During the Month of OCTOBER 2001

1052 MAYA	10/15/01
1056 MAYA	10/15/01
1060 MAYA	10/15/01
1064 MAYA	10/15/01
1375 RALIEGH PL 90	10/25/01
1381 RALIEGH PL 91	10/25/01
1387 RALIEGH PL 92	10/25/01
1393 RALIEGH PL 93	10/25/01
1399 RALIEGH PL 94	10/25/01
1405 RALIEGH PL 95	10/25/01
1411 RALIEGH PL 96	10/25/01
1417 RALIEGH PL 97	10/25/01
1423 RALIEGH PL 98	10/25/01
1429 RALIEGH PL 99	10/25/01
1435 RALIEGH PL 100	10/25/01
1441 RALIEGH PL 101	10/25/01
1447 RALIEGH PL 102	10/25/01
1453 RALIEGH PL 103	10/25/01
1459 RALIEGH PL 104	10/25/01
1465 RALIEGH PL 105	10/25/01
1471 RALIEGH PL MTR RM	10/25/01
1477 RALIEGH PL 106	10/25/01
1483 RALIEGH PL 107	10/25/01
3168 NEWBURY PLACE 5	10/25/01
3172 NEWBURY PLACE 5	10/25/01
3176 NEWBURY PLACE M	10/25/01
3180 NEWBURY PLACE 5	10/25/01
3184 NEWBURY PLACE 5	10/25/01
3188 NEWBURY PLACE 5	10/25/01
3192 NEWBURY PLACE 5	10/25/01
3196 NEWBURY PLACE 5	10/25/01
3200 NEWBURY PLACE 5	10/25/01
3204 NEWBURY PLACE 4	10/25/01
3208 NEWBURY PLACE 4	10/25/01
3212 NEWBURY PLACE 4	10/25/01
3216 NEWBURY PLACE 4	10/25/01
3220 NEWBURY PLACE 4	10/25/01
3224 NEWBURY PLACE 4	10/25/01
3228 NEWBURY PLACE 4	10/25/01

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City of Troy
Monthly Financial Report
October 31, 2001

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%

GENERAL FUND REVENUES					
TAXES	27,391,258	29,375,690	81,761	29,289,361	99.71
BUSINESS LICENSES & PERMITS	41,256	47,200	1,901	6,434	13.63
NON-BUS. LICENSES & PERMITS	2,006,950	1,546,000	139,635	499,997	32.34
FEDERAL GRANTS	111,937	59,300	9,445	9,445	15.93
STATE AGENCIES	8,366,634	8,047,000	0	1,503,754	18.69
CONTRIBUTIONS-LOCAL	118,646	95,800	9,666	17,029	17.78
CHARGES FOR SERVICES - FEES	1,146,110	857,700	89,885	151,808	17.70
CHARGES FOR SERVICES - REND.	1,963,118	1,410,000	12,789	217,591	15.43
CHARGES FOR SERVICES - SALES	308,104	139,000	755	47,586	34.23
CHARGES FOR SERVICES - REC	1,332,938	1,375,000	22,932	396,503	28.84
FINES & FORFEITS	1,061,310	815,000	242,686	453,352	55.63
INTEREST AND RENTS	1,623,268	1,935,700	143,568	399,452	20.64
OTHER REVENUE	399,843	319,450	1,747	3,822	1.20
OTHER FINANCING SOURCES	7,306,505	9,069,130	0	1,027,750	11.33

TOTAL GENERAL FUND REVENUE	53,177,877	55,091,970	756,770	34,023,884	61.76
=====					
EXPENDITURES					
LEGISLATIVE	1,518,969	1,761,780	132,366	482,114	27.37
FINANCE	3,685,811	4,358,420	274,761	1,161,537	26.65
OTHER GEN GOVERNMENT	1,894,360	2,069,570	142,838	535,128	25.86
POLICE	18,416,034	19,765,930	1,566,839	6,052,689	30.62
FIRE	2,871,401	3,391,100	146,817	669,586	19.75
BUILDING INSPECTION	1,500,807	1,798,400	123,644	520,857	28.96
STREETS	4,356,799	5,117,940	341,761	1,277,430	24.96
ENGINEERING	2,461,572	2,776,130	201,796	811,445	29.23
RECREATION	5,347,912	6,905,540	575,618	2,066,546	29.93
LIBRARY	3,499,982	4,227,870	232,480	1,033,661	24.45
TRANSFERS OUT	1,810,000	2,919,290	0	727,000	24.90

TOTAL GEN FUND EXPENDITURES	47,363,647	55,091,970	3,738,920	15,337,993	27.84
=====					

REFUSE FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%

REVENUES					
TAXES	3,707,365	3,672,000	0	3,679,011	100.19
CHARGES FOR SERVICES - REND.	624	0	0	156	.00
CHARGES FOR SERVICES - SALES	807	500	21	195	39.00
INTEREST AND RENTS	190,686	116,500	8,690	34,081	29.25
OTHER FINANCING SOURCES	0	0	0	0	.00

TOTAL REVENUE	3,899,482	3,789,000	8,711	3,713,443	98.01
=====					
EXPENDITURES					
CONTRACTORS SERVICE	3,305,048	3,581,670	266,904	904,316	25.25
OTHER REFUSE EXPENSE	46,977	49,680	1,640	7,646	15.39
RECYCLING	125,364	157,650	7,872	41,053	26.04

TOTAL EXPENDITURES	3,477,389	3,789,000	276,416	953,015	25.15
=====					

CAPITAL FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	6,512,306	7,300,000	0	7,313,696	100.19
FEDERAL GRANTS	33,168	0	0	0	.00
STATE AGENCIES	233,579	4,132,900	3,820	105,417	2.55
CHARGES FOR SERVICES - REND.	396,770	152,000	7,030	7,030	4.63
INTEREST AND RENTS	1,068,537	632,600	43,396	199,728	31.57
OTHER REVENUE	625,335	1,000	4,535	7,455	745.50
OTHER FINANCING SOURCES	17,028,881	23,545,398	0	14,233,901	60.45
TOTAL REVENUE	25,898,576	35,763,898	58,781	21,867,227	61.14
EXPENDITURES					
FINANCE	66,908	75,000	0	64,008	85.34
OTHER GEN GOVERNMENT	58,902	487,000	214	5,755	1.18
POLICE	410,668	784,620	6,528	113,232	14.43
FIRE	266,948	462,000	87	463,506	100.33
BUILDING INSPECTION	4,491	20,000	0	900	4.50
STREETS	12,164,310	26,764,010	3,121,935	6,850,720	25.60
ENGINEERING	156,350	96,610	0	4,766	4.93
RECREATION	1,311,570	3,878,193	19,736	708,431	18.27
LIBRARY	337,276	450,000	34,847	63,816	14.18
MUSEUM	11,441	466,500	49,866	49,866	10.69
PLANNING	0	25,000	0	0	.00
STORM DRAINS & RET PONDS	30,811	941,465	144,916	172,768	18.35
INFORMATION TECHNOLOGY	223,400	1,313,500	700	94,834	7.22
TOTAL EXPENDITURES	15,043,075	35,763,898	3,378,829	8,592,602	24.03

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	44,096	45,000	2,696	18,350	40.78
CHARGES FOR SERVICES - REC	1,124,143	1,220,000	65,003	575,293	47.16
INTEREST AND RENTS	106,702	100,000	6,565	26,428	26.43
OTHER REVENUE	15	500	31-	40-	8.00
OTHER FINANCING SOURCES	873,820	178,440	0	0	.00
TOTAL REVENUE	2,148,776	1,543,940	74,233	620,031	40.16
EXPENDITURES					
SYLVAN GLEN GREENS	852,359	884,890	79,446	316,981	35.82
SYLVAN GLEN PRO SHOP	278,417	389,050	20,043	108,562	27.90
SYLVAN GLEN CAPITAL	960,669	270,000	267,906-	101,760	37.69
TOTAL EXPENDITURES	2,091,445	1,543,940	168,417-	527,303	34.15

CITY OF TROY
Monthly Financial Report
Aquatic Center
For the Period Ending October 31, 2001

AQUATIC CENTER FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	346,722	355,000	176-	89,665	25.26
INTEREST AND RENTS	28,559	23,600	56	9,208	39.02
OTHER REVENUE	362	0	0	23	.00
TOTAL REVENUE	375,643	378,600	120-	98,896	26.12
EXPENDITURES					
AQUATIC CENTER	542,878	555,130	31,140	255,953	46.11
CAPITAL	65,994	70,000	4,902	24,862	35.52
TOTAL EXPENDITURES	608,872	625,130	36,042	280,815	44.92

83500

FINANCE

FIN590

CITY OF TROY

Monthly Financial Report

Sewer Fund

For the Period Ending October 31, 2001

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SEWER FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	363,730	325,000	8,798	53,580	16.49
CHARGES FOR SERVICES - REND	6,008,443	7,128,020	926,602	1,494,815	20.97
INTEREST AND RENTS	1,137,391	935,000	42,207	145,159	15.53
OTHER REVENUE	89,093	10,000	0	0	.00
TOTAL REVENUE	7,598,657	8,398,020	977,607	1,693,554	20.17
EXPENDITURES					
ADMINISTRATION	5,993,650	6,863,680	968,324	2,222,544	32.38
MAINTENANCE	1,236,906	1,534,340	31,191	347,761	22.67
CAPITAL	178,461	5,549,020	0	2,740	.05
TOTAL EXPENDITURES	7,409,017	13,947,040	999,515	2,573,045	18.45

For the Period Ending October 31, 2001

WATER FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	1,401,951	596,000	69,558	314,408	52.75
CHARGES FOR SERVICES - SALES	7,096,164	7,810,400	1,075,339	1,747,971	22.38
INTEREST AND RENTS	1,496,943	1,140,000	30,225	170,905	14.99
OTHER REVENUE	66,165	0	0	0	.00
TOTAL REVENUE	10,061,223	9,546,400	1,175,122	2,233,284	23.39
EXPENDITURES					
ADMINISTRATION	6,446,527	7,356,600	691,856	1,804,120	24.52
TRANS AND DISTRIBUTION	150,437	142,770	3,059	18,033	12.63
CUSTOMER INSTALLATION	19,231	97,030	0	0	.00
CONTRACTORS SERVICE	163,823	179,040	15,678	68,973	38.52
MAIN TESTING	109,060	178,210	4,169	35,544	19.95
MAINTENANCE OF MAINS	307,631	301,140	20,494	120,257	39.93
MAINTENANCE OF SERVICES	196,820	212,290	9,646	49,994	23.55
MAINTENANCE OF METERS	156,455	292,900	13,344	48,612	16.60
MAINTENANCE OF HYDRANTS	259,796	305,920	36,719	100,817	32.96
METERS AND TAP-INS	219,789	354,470	13,759	59,880	16.89
WATER METER READING	71,951	74,660	12,904	44,285	59.32
ACCOUNTING AND COLLECTING	51,234	51,370	6,113	25,850	50.32
CAPITAL	7,297,199	9,735,200	1,446,698	1,158,255	11.90
TOTAL EXPENDITURES	15,449,953	19,281,600	618,957	3,534,620	18.33

MOTOR POOL FUND

Description	Last Year Actual	2001-02 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REND	24,141	2,000	0	3,949	197.45
INTEREST AND RENTIS	3,544,243	3,507,000	262,706	1,235,114	35.22
OTHER REVENUE	56,447	262,500	1,437	30,159	11.49
OTHER FINANCING SOURCES	2,113,550	1,064,140	0	0	.00
TOTAL REVENUE	5,738,381	4,835,640	264,143	1,269,222	26.25
EXPENDITURES					
ADMINISTRATION	389,832	467,610	26,258	113,536	24.28
OPERATION AND MAINTENANCE	2,486,210	2,692,870	241,267	880,776	32.71
DPW FACILITY MAINTENANCE	278,861	339,860	11,204	64,511	18.98
CAPITAL	1,547,608	1,335,300	16,324	194,256	14.55
TOTAL EXPENDITURES	4,702,511	4,835,640	295,053	1,253,079	25.91

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
101	2001	11	16	7	MNB	2001	9	20	3.740	CD	1,103,777		1,103,777.41
	2001	11	20	7	REPUBLIC	2001	9	21	2.700	CD	249,889		249,889.34
	2001	11	26	7	HUNT BANK	2001	10	12	2.500	CD	499,217		499,217.31
TOTAL													1,852,884.06
112	2001	11	1	9	ML	2001	7	5	3.530	TBILL	2,407,000		2,379,550.17
	2001	11	1	7	STAND FED	2001	9	20	3.050	CD	2,000,000		2,000,000.00
	2001	11	1	8	FITB	2001	10	12	2.399	AMEX	1,001,000		999,665.33
	2001	11	5	8	FITB	2001	10	5	2.400	GE CAP	1,200,000		1,197,520.00
	2001	11	5	8	FITB	2001	10	5	2.440	FOUNT SQ	2,373,000		2,368,014.06
	2001	11	7	8	FITB	2001	5	10	3.890	FOUNT SQ	3,061,000	16,537.90	3,001,132.79
	2001	11	8	9	ML	2001	7	12	3.530	TBILL	2,408,000		2,380,538.77
	2001	11	8	7	STAND FED	2001	9	20	3.050	CD	2,000,000		2,000,000.00
	2001	11	9	8	ML	2001	10	12	2.470	EDISON	858,000		856,351.69
	2001	11	9	8	ML	2001	10	12	2.480	TOYOTA	865,000		863,331.51
	2001	11	15	9	ML	2001	5	17	3.750	T STRIP	2,046,000	8,802.63	2,008,742.34
	2001	11	16	7	STAND FED	2001	9	20	3.050	CD	2,000,000		2,000,000.00
	2001	11	19	8	FITB	2001	10	18	2.350	GE CAP	3,173,000		3,166,371.96
	2001	11	19	8	FITB	2001	10	22	2.250	FOUNT SQ	1,707,000		1,703,840.15
	2001	11	20	7	REPUBLIC	2001	8	23	3.500	CD	500,000		500,000.00
	2001	11	20	7	HUNTINGTON	2001	8	23	3.500	CD	500,000		500,000.00
	2001	11	20	7	REPUBLIC	2001	9	21	2.700	CD	591,146		591,146.35
	2001	11	21	8	ML	2001	10	26	2.230	GLAXO	2,006,000		2,002,769.23
	2001	11	26	7	HUNT BANK	2001	10	12	2.500	CD	626,872		626,872.42
	2001	11	27	8	SSB	2001	10	26	2.230	CITIBANK	1,004,000		1,002,009.85
	2001	11	29	9	ML	2001	7	19	3.500	TBILL	2,025,000		1,999,488.94
	2001	11	30	8	SSB	2001	9	26	2.400	PFIZER	1,047,000		1,042,463.00
	2001	12	5	8	SSB	2001	10	12	2.350	ASCEN HLTH	1,012,000		1,008,493.42
	2001	12	6	9	ML	2001	7	26	3.470	TBILL	3,458,000		3,414,819.19
	2001	12	13	9	ML	2001	8	2	3.460	TBILL	1,611,000		1,590,942.60
	2001	12	17	7	STAND FED	2001	10	19	2.450	CD	7,347,250		7,347,250.64
	2001	12	20	9	ML	2001	8	9	3.370	TBILL	2,661,000		2,628,656.28
	2001	12	21	7	STAND FED	2001	10	25	2.400	CD	1,002,965		1,002,965.28
	2001	12	27	9	ML	2001	8	16	3.370	TBILL	1,252,000		1,236,782.29
	2001	12	28	8	FITB	2001	9	28	3.710	FOUNT SQ	6,445,000		6,404,759.93
	2002	1	3	9	ML	2001	8	23	3.310	TBILL	2,411,000		2,382,229.40
	2002	1	3	7	FITB	2001	10	5	2.250	CD	576,022		576,022.55
	2002	1	10	9	ML	2001	8	22	3.350	TBILL	2,766,000		2,730,933.00
	2002	1	17	9	ML	2001	8	30	3.280	TBILL	2,806,000		2,771,080.89
	2002	1	24	9	ML	2001	9	6	3.320	TBILL	2,982,000		2,944,426.80
	2002	1	31	7	COMERICA	2001	9	7	3.380	CD	1,000,000		1,000,000.00
	2002	1	31	9	ML	2001	9	24	2.620	TBILL	3,398,000		3,366,780.88
	2002	2	7	7	COMERICA	2001	9	7	3.380	CD	1,000,000		1,000,000.00
	2002	2	7	9	ML	2001	9	27	2.140	TBILL	2,166,000		2,149,195.45
	2002	2	14	7	STAND FED	2001	9	14	3.300	CD	9,742,460		9,742,460.62
	2002	2	14	9	ML	2002	9	27	2.250	TBILL	2,745,000		2,721,515.00

7 = CD 8 = Paper 9 = T-Bills

1/08/01 15:33:54

11/08/01

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVQY012

PAGE 2

Page: 2

Und	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2002	2	21	8	FITB	2001	9	7	3.220	FNMA	2,000,000		1,970,962.59
	2002	2	28	8	FITB	2001	9	7	3.230	FHLM	1,000,000		984,835.69
	2002	2	28	7	REPUBLIC	2001	9	20	3.100	CD	1,000,000		1,000,000.00
	2002	2	28	9	ML	2001	9	28	2.270	TBILL	2,111,000		2,091,082.72
	2002	3	4	7	MIDW GUART	2001	9	5	3.350	CD	2,018,788		2,018,788.89
	2002	3	7	8	FITB	2001	9	7	3.230	FNMA	1,000,000		984,235.25
	2002	3	7	9	ML	2001	9	28	2.270	TBILL	2,059,000		2,038,684.53
	2002	3	14	9	ML	2001	10	4	2.170	TBILL	2,068,000		2,048,393.06
	2002	3	18	8	FITB	2001	9	7	3.215	FHLM	2,000,000		1,966,712.93
	2002	3	21	9	ML	2001	10	11	2.190	TBILL	3,566,000		3,531,871.40
	2002	3	28	9	ML	2001	10	18	2.160	TBILL	2,375,000		2,352,588.58
	2002	4	4	9	ML	2001	10	25	2.040	TBILL	2,440,000		2,418,175.56
	2002	4	11	8	NAT CITY	2001	10	11	2.620	FHLM	2,000,000		2,000,000.00
	2002	6	30	7	FITB	1998	12	4	2.170	GOVT POOL	581,447		581,447.36
	2003	10	10	8	FITB	2001	10	10	3.400	FHLB	1,000,000		1,000,000.00
	2003	10	29	8	FITB	2001	10	29	3.250	FHLB	1,100,000		1,100,000.00
	2004	3	26	8	FITB	2001	9	27	3.700	FNMA	1,000,000		1,000,000.00
										TOTAL		25,340.53	120,296,901.34
591	2001	11	2	7	NATL CITY	2001	9	4	3.370	CD	1,449,624		1,449,624.99
	2001	11	16	7	MNB	2001	9	20	3.050	CD	1,103,777		1,103,777.41
	2001	11	20	7	REPUBLIC	2001	9	21	2.700	CD	131,898		131,898.91
	2001	11	21	7	HUNT BANK	2001	8	23	3.400	CD	145,808		145,808.99
	2001	11	21	7	OLD KENT	2001	9	27	2.500	CD	557,103		557,103.98
	2001	12	21	7	STAND FED	2001	9	27	2.560	CD	1,475,656		1,475,656.71
	2002	6	30	7	COMERICA	1997	7	1	2.500	GOV'T POOL	1,777,172		1,777,172.70
										TOTAL			6,641,043.69
688	2001	11	14	7	STAND FED	2001	9	13	3.250	CD	733,230		733,230.61
	2001	12	17	7	STAND FED	2001	10	19	2.450	CD	584,837		584,837.68
	2002	6	30	7	BANK ONE	1997	7	1	3.040	GOV'T POOL	1,258,529		1,258,529.36
										TOTAL			2,576,597.65
701	2001	11	28	7	MIDW GUART	2001	8	30	3.450	CD	507,127		507,127.25
										TOTAL			507,127.25
										TOTAL	25,340.53		131,874,553.99

* * * E N D O F R E P O R T * * *

7 = CD 8 = Paper 9 = T-Bills

CITY OF TROY

N/C - Results are not calculated for transactions which involve the amortization of premium, the repayment of principal, the sale of partnership interests, or the determination of ordinary income and/or capital items for discount and zero-coupon issues.

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Cash and Money Accounts										
	CASH			1		1				
2,539	CMA TREASURY FUND		1.00	2,539	1.00	2,539			55	2.18
Total Cash and Money Accounts				2,540		2,540			55	2.18
Government Securities										
2,046,000	U S TREASURY STRIPS PRIN ZERO% NOV 15 2001	05/17/01	98.17	2,008,742	99.92	2,044,404	N/A			
2,025,000	U.S. TREASURY BILL ZERO% NOV 29 2001	07/19/01	98.74	1,999,488	99.83	2,021,638	N/A			
2,407,000	U.S. TREASURY BILL ZERO% NOV 01 2001	07/05/01	98.85	2,379,550	100.00	2,407,000	N/A			
2,408,000	U.S. TREASURY BILL ZERO% NOV 08 2001	07/11/01	98.85	2,380,538	99.95	2,406,964	N/A			
3,458,000	U.S.TREASURY BILL ZERO% DEC 06 2001	07/26/01	98.75	3,414,819	99.79	3,451,014	N/A			
1,611,000	U.S. TREASURY BILL ZERO% DEC 13 2001	08/02/01	98.75	1,590,942	99.76	1,607,149	N/A			
2,661,000	U.S. TREASURY BILL ZERO% DEC 20 2001	08/09/01	98.78	2,628,656	99.72	2,653,602	N/A			

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PLEASE SEE REVERSE SIDE



CITY OF TROY

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Government Securities										
1,252,000	U.S. TREASURY BILL ZERO% DEC 27 2001	08/16/01	98.78	1,236,782	99.68	1,248,031	N/A			
2,411,000	U.S. TREASURY BILL ZERO% JAN 03 2002	08/23/01	98.80	2,382,229	99.65	2,402,561	N/A			
2,766,000	U.S. TREASURY BILL ZERO% JAN 10 2002	08/22/01	98.73	2,730,933	99.60	2,755,184	N/A			
2,806,000	U.S. TREASURY BILL ZERO% JAN 17 2002	08/30/01	98.75	2,771,080	99.57	2,793,934	N/A			
2,982,000	U.S. TREASURY BILL ZERO% JAN 24 2002	09/06/01	98.74	2,944,426	99.52	2,967,954	N/A			
3,398,000	U.S. TREASURY BILL ZERO% JAN 31 2002	09/17/01	99.08	3,366,780	99.49	3,380,806	N/A			
2,111,000	U.S. TREASURY BILL ZERO% FEB 28 2002	09/27/01	99.05	2,091,082	99.35	2,097,384	N/A			
2,166,000	U.S. TREASURY BILL ZERO% FEB 07 2002	09/20/01	99.22	2,149,195	99.46	2,154,433	N/A			
2,745,000	U.S. TREASURY BILL ZERO% FEB 14 2002	09/20/01	99.14	2,721,515	99.43	2,729,545	N/A			
2,059,000	U.S. TREASURY BILL ZERO% MAR 07 2002	09/27/01	99.01	2,038,684	99.32	2,045,081	N/A			
2,068,000	U.S. TREASURY BILL ZERO% MAR 14 2002	10/04/01	99.05	2,048,393	99.28	2,053,110	N/A			
3,566,000	U.S. TREASURY BILL ZERO% MAR 21 2002	10/10/01	99.04	3,531,871	99.24	3,539,219	N/A			

+ PLEASE SEE REVERSE SIDE



CITY OF TROY

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Government Securities										
2,375,000	U.S. TREASURY BILL ZERO% MAR 28 2002	10/18/01	99.05	2,352,588	99.21	2,356,285	N/A			
2,440,000	U.S. TREASURY BILL ZERO% APR 04 2002	10/25/01	99.10	2,418,175	99.18	2,420,065	N/A			
Total Government Securities				51,186,478		51,535,371				

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Other											
858,000	CP EDISON SEC PPBE 17SEP01 00.000%09NOV2001			10/12/01	99.80	856,351	99.94	857,493	N/A		
865,000	CP TOYOTA CR DE PR 28SEP01 00.000%09NOV2001			10/12/01	99.80	863,331	99.94	864,489	N/A		
2,006,000	CP GLX0 W.PLC PPBE 23OCT01 00.000%21NOV2001			10/26/01	99.83	2,002,769	99.85	2,003,051	N/A		
Total Other						3,722,452		3,725,034			
Total of Long Portfolio						54,911,471		55,262,946	*	55	2.18

* - Excludes N/A Items

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PLEASE SEE REVERSE SIDE



DATE: November 7, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Announcement of Public Hearing
Request for Commercial Vehicle Appeal
1800 E. Long Lake

On October 16, 2001, information was sent to the residence of Mr. Grant Norris that identified restrictions related to a commercial vehicle located on residential property. As part of that information, he was advised that the welding truck parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Norris has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of December 3, 2001.

A copy of the application and photo are attached for your reference.

Should you have any questions or require additional information, kindly advise.

COMMERCIAL VEHICLE
APPEAL APPLICATION

RECEIVED

OCT 16 2001

BUILDING
DEPARTMENT

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: Grant F Norris

ADDRESS: 1800 E Long Lake

CITY: Troy MI. ZIP: 48065 PHONE: 740-7543

ADDRESS OF SITE: 1800 E Long Lake

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S) 2FD3F37L1FCB43802

LICENSE PLATE NUMBER(S) P 993 AN

DESCRIPTION OF VEHICLE(S) welding truck with ladder
truck

REASON FOR APPEAL (see A - D below) B ()

If I can't have the truck I will lose my job

I am handicapped and my employer hired me to supervise jobs.

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Grant F Norris
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF _____

On this 19 day of OCTOBER, 19 2001 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Judith Montreuil
Notary Public, _____ County, Michigan

My Commission Expires: 10-12-05

Judith Montreuil
Notary Public Macomb County, MI
Acting in Oakland County, MI
My Commission Expires
October 12, 2005

RECEIVED

OCT 18 1901

BUILDING
DEPARTMENT

10-18-01

To whom it may concern

I see the residents in 1800 E. Long
Lake Rd are working hard to clean
the back yard which was neglected
for long time.

I think we should be glad that
the yard been cleaned off and
taken care of and we do not
mind that they park their ^{work} truck
in the back of this yard

Salwa & Daniel

Thomas

Daniel Thomas
1854 E. Long Lake Rd

10-18-01

I do not care if Grant Norris parks his
welding truck on his back lot.

I live to the west of Grant next door.

Julianne B. Miller
1770 E. Long Lake
Troy, mi 48085

RECEIVED
OCT 28 2001
BUILDING
DEPARTMENT

10-17-01

RECEIVED

OCT 26 2001

BUILDING
DEPARTMENT

To Whom it may concern-
City of Troy-

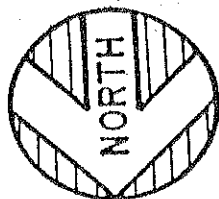
The residence of 1800 E. Long Lake Rd. has been for the past few months, constantly working to clean up their yard. This yard has been in great need of clean up for the past "five years." We are very glad to see the new owners taking some pride in their home.

Their truck is of no concern to us. They can park anything they want in their own yard.

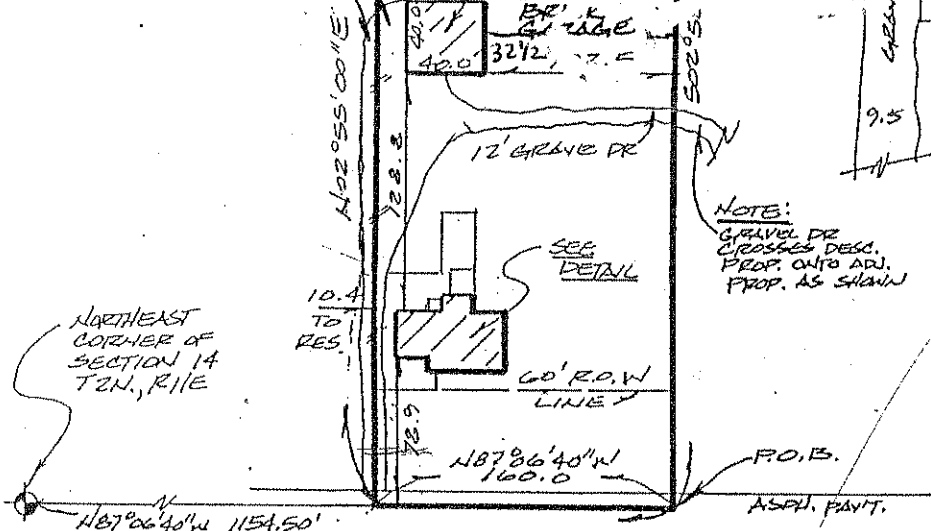
This home I'm sure is now a work in progress. We are very glad to see it finally being taken care of.

Mike & Roberta Burgin
1872 E. Long Lake Rd.

Truck parked behind accessory bldg.



NOTE: GRAVEL
CROSSES LOT
LINE AS SHOWN



NOTE:
GRAVEL PR
CROSSES DESC.
PROP. AUTO ADJ.
PROP. AS SILVAIN

HOUSE DETAIL
SCALE: 1"=30'

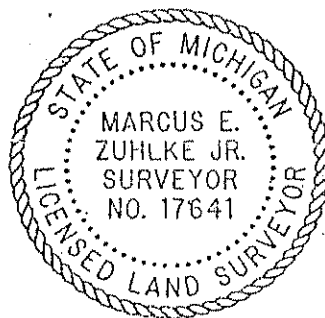
RECEIVED

SEP - 8 2001

**BUILDING
DEPARTMENT**

E. LONG LAKE RD. 120' WD.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



JOB NO. 92-09358 SCALE 1/4"=100'
DATE 04/16/92 DR. BY D.W.

KEM-TEC

LAND SURVEYORS

16041 EAST NINE MILE ROAD
EASTPOINTE, MI 48021
(313) 772-2222
FAX 772-4048





Office of the Prosecuting Attorney

DAVID G. GORCYCA

*Prosecuting Attorney
County of Oakland*

October 26, 2001

John N. O'Brien II
Chief Deputy Prosecutor

Charles Craft, Chief of Police
Troy Police Department
500 West Big Beaver
Troy, MI 48084



Re: People v. Brian Alexander CR 01-175449-FC
People v. Corey Turner, CR 01-175450-FC

Dear Chief Craft:

As I am sure you are aware, in the early morning hours of October 31, 2000, two men followed a patron out of the MGM Grand Casino in Detroit to his home in Troy and robbed him. The next day, the two defendants were arrested in the casino and charged in the robbery. On Monday of this week, the defendants were found guilty after a nine-day trial in the Oakland County Circuit Court.

My purpose in writing this letter is to commend to you the superior efforts and invaluable assistance of the Troy Police personnel assigned to the case. Without them, not only would we have never apprehended the men, we would have never been able to build a case against them.

First and foremost, I want to recognize the work of D/Sgt. James Clark. As the Officer-in-Charge, Sgt. Clark coordinated not only the efforts of the Troy Police but also of the MGM Grand Surveillance Department, the Detroit Police Department, Michigan State Police and Michigan Gaming Control Board.

The efforts of the MGM Grand and of Surveillance Supervisor Jack Irvine in particular were crucial in the prosecution of the defendants. Without them the conviction would not have been possible. Sgt. Clark worked closely with the casino to produce a videotape, which was the key to this case.

Next, I wish to commend the efforts of D/Lt. Richard Hay. During the course of post-arrest interviews with the defendants, he was able to obtain statements, which allowed us to defeat a claim of alibi. Without those statements, the case would have been much more difficult.

There were several other officers who made significant contributions that I want to recognize. Officers Larry Scher and Russ Harden were among those who initially responded to

the scene. They interviewed witnesses, collected evidence and provided critical testimony at trial. Officer Ronald Bodek processed a vehicle after the arrest and found important evidence linking the defendants to the crime. Finally, PSA Jason Straz testified about statements made by one of the defendants with which we were able to defeat his alibi. Those statements were unsolicited, self-serving comments which PSA Straz astutely recognized and recorded.

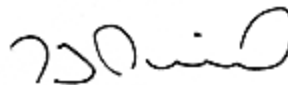
As I understand it, this was the first time testifying in Circuit Court for both Officer Scher and PSA Straz. You would not have known it from their calm, professional demeanor. They were excellent witnesses who demonstrated that there were only there to tell the truth.

I know that the superior quality of these officers is not news to you. I have worked with them on both sides of the badge for many years and know them to be of the highest caliber. The citizens of Troy and indeed the people of this state can sleep safer at night knowing that men like these protect them.

Please express my sincere appreciation to these officers. I look forward to working with them and the other members of your department again in the future.

Respectfully submitted,

DAVID G. GORCYCA
PROSECUTING ATTORNEY



Jason D. Pernick,
Assistant Prosecuting Attorney

JDP/mg

cc: D/Sgt. James Clark
D/Lt. Richard Hay
Officer Larry Scher
Officer Russ Harden
Officer Ronald Bodek
PSA Jason Straz
Jack Irvine, MGM Grand Casino

Mary F Redden

From: Kathy Czarnecki
Sent: Monday, November 05, 2001 11:52 AM
To: Mary F Redden
Subject: FW: Greg Russell

-----Original Message-----

From: Kathy Czarnecki
Sent: Monday, November 05, 2001 10:42 AM
To: Gary A Shripka
Subject: Greg Russell

Gary,

Mrs. Scott of 5123 Falmouth just called in to say many good things about Greg, who just had completed an inspection at her home -- "What a good guy -- prompt, efficient and so personable."

Kathy Czarnecki
Manager's Office
Ext. 3329

R/C

John M Lamerato

From: RMSchultzTROY@aol.com
Sent: Friday, November 02, 2001 3:06 PM
To: lameratojm@ci.troy.mi.us
Subject: Thanks to you and your staff

Mr. Lamerato,

I simply wanted to thank you and your staff members for the wealth of information that was shared with the Citizens Academy members during Thursday evenings (11/1) session.

Your session, as with every other, was extremely informative and interesting. The time taken to prepare, present and answer questions was much appreciated.

Thank you again for helping me be a better informed citizen of Troy.

Bob Schultz
883 Kirts Blvd.

G-6c

Birmingham Police Department

151 MARTIN STREET
P.O. BOX 3001
BIRMINGHAM, MICHIGAN 48012
PHONE (248) 644-3405
FAX (248) 644-2567
<http://www.ci.birmingham.mi.us>

RICHARD G. PATTERSON
Chief of Police

November 9, 2001

Charles Craft, Chief of Police
City of Troy Police Department
500 West Big Beaver Rd.
Troy, Michigan 48084

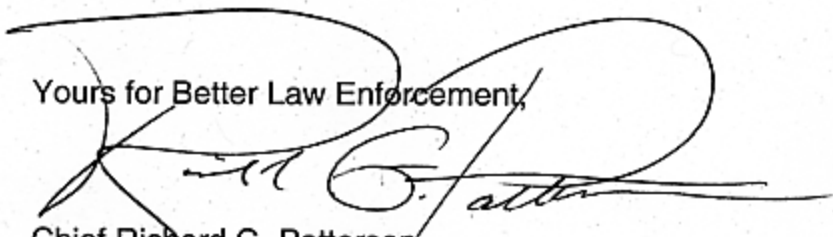
Dear Chief Craft,

I want to thank you for the assistance that your surveillance crew, headed by Detective Sergeant Henry Herpel, provided on Tuesday November 6, 2001. Sergeant Herpel's crew responded quickly to assist our department's investigation of multiple breaking and entering of businesses. Your officers followed the suspects to a home in Southfield where stolen property was recovered and the suspects were arrested.

Your crew's quick and professional response allowed our officers to clear five (5) B&E's and recover property stolen in those B&E's.

Thank you again.

Yours for Better Law Enforcement,

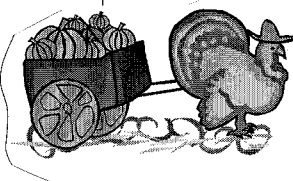


Chief Richard G. Patterson
Chief of Police

RP/ah



November 2001

November 2001							December 2001						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
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25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
November 1 2 3					
			10:00am Sr Citizen Advisory Comm (Comm. Ctr.)		
5 6		7	8	9	10
4:00pm Municipal Building Authority-CANCELLED 7:30pm City Council - Regular (Chambers)		8:30am Bldg Code Bd of Appeals (C) 7:00pm Adv Comm Persons w/Disabilities (LL)	7:30pm Parks & Recreation Board (Comm. Ctr.) 7:30pm Library Board (Lib.)		
12 13		14	15	16	17
7:30pm Liquor Committee (C)	7:30pm Planning Commission-Regular Session (Chambers)	3:00pm Employee Retirement System (C)			
19 20		21	22	23	24
7:30pm City Council - Regular (Chambers)	7:30pm Board of Zoning Appeals (Chambers)		Holiday - City Offices Closed 	Holiday - City Offices Closed	
26 27		28	29	30	
7:30pm City Council-Study ((LL))	7:00pm Annual Tree Lighting Ceremony 7:30pm Planning 7:30pm Historic District 7:30pm Historical Commission 8:00pm Troy Daze	7:30am DDA-CANCELLED (LL) 11:00am Fire/Police Training Center Ribbon Cutti 7:30pm Traffic Committee (LL)			

11/14/01

G-7

11/19 PH - Rezoning, Sec 14, From R-1C to R-1T
11/19 PH - Commercial Vehicle Appeal, 1956 Castleton
11/19 PH - Commercial Vehicle Appeal, 1421 Hartwig
11/19 PH - Parking Variance, 1477 John R
11/19 PH - Reprogram CDBG 2002




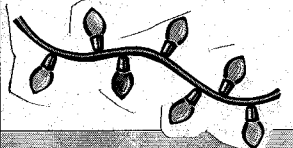

December 2001

December 2001

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30	31					

January 2002

S	M	T	W	T	F	S
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20	21	22	23	24	25	26
27	28	29	30	31		

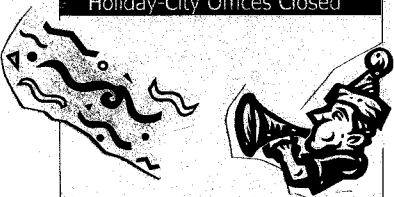
Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					December 1
					2
3 7:30pm City Council - Regular (Chambers)	4	5 8:30am Bldg Code Bd of Appeals (C) 7:00pm Adv Comm Persons w/Disabilities (LL)	6 10:00am Sr Citizen Advisory Comm (Comm. Ctr.)	7 6:30pm Holiday Party at San Marino 	8
10 7:30pm Liquor Committee (C)	11 7:30pm Planning Commission-Regular Session (Chambers)	12 3:00pm Employee Retirement System (C)	13 7:30pm Parks & Recreation Board (Comm. Ctr.) 7:30pm Library Board (Lib.)	14	15
17 7:30pm City Council - Regular (Chambers)	18 7:30pm Board of Zoning Appeals (Chambers)	19 7:30am Downtown Development Authority (LL) 7:30pm Traffic Committee (LL)	20	21	22
24 Holiday - City Offices Closed 	25 Holiday - City Offices Closed 	26	27	28	29
31 Holiday - City Offices Closed					30

11/14/01

12/3 PH - Commercial Vehicle Appeal, 1800 E Long Lake

January 2002

January 2002							February 2002						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28		

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	January 1, 02 Holiday-City Offices Closed 	2 8:30am Bldg Code Bd of Appeals (C)	3 10:00am Sr. Citizen Advisory Comm (Comm. Ctr.)	4	5
7	8	9	10	11	12
	7:30pm Planning Commission-Regular Session (Chambers)	3:00pm Employee Retirement System (C)	7:30pm Parks & Recreation Board (Comm. Ctr.) 7:30pm Library Board (Lib.)		13
14	15	16	17	18	19
7:30pm Liquor Committee (C)	7:30pm Board of Zoning Appeals (Chambers)	7:30am Downtown Development Authority (LL) 7:30pm Traffic Committee (LL)			20
21	22	23	24	25	26
	7:30pm Planning Commission-Study 7:30pm Historic District Commission (C) 7:30pm Historical Commission (Museum) 8:00pm Troy Daze				27
28	29	30	31		

November 5, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Charles T. Craft, Chief of Police

SUBJECT: Troy Police Department Pistol Team Achievement

On September 6, 2001, the Troy Police Department Pistol Team participated in the 64th Annual Michigan Police Pistol Shoot. 53 law enforcement teams competed in the event which is held in Jackson, Michigan.

The Troy Police Department team #1, won the Class A (departments with an authorized strength of 101 – 300 police officers) match. Team #1 is comprised of Sergeant Mike Kerr, and Officers Robert Wolfe, Russ Bragg, Paul Lucas, and Tony Cascioli.

Although the Police Department provides some support, each participating officer dedicates a great deal of personal time to practice.

November 5, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Charles T. Craft, Chief of Police
Wendell Moore, Research & Technology Administrator

SUBJECT: 2001 Year-To-Date Crime and Police Calls for Service Report

Attached is a report detailing 2001 calls for service, criminal offenses, traffic crashes and citations issued through September. This report's format complies with the National Incident Based Reporting System. All offenses within an incident are reported.

Total calls for police service are down 4.5% (1516 actual calls) from year 2000 levels.

Group A Crime decreased 11.8% or 391 reported incidents. Significant decreases occurred in the following categories:

- Breaking & Entering – down 26.9% (75 incidents)
- Destruction/Vandalism – down 31.7% (168 incidents)
- Larceny/Theft – down 13.1% (188 incidents)

Two categories showing increases are Arson, up 260% (13 incidents), and Motor Vehicle Theft, which increased 66.7% (58 incidents). Generally, arson has been on the decrease since 1992. The majority of reported arsons are believed to involve juveniles who set fire to mailboxes, porta-johns, etc. Arrests have been made. Motor vehicle theft has also been on the decrease since 1992. It should be noted that at the end of the year 2000, the Michigan Auto Theft Prevention Authority restructured auto theft investigation funding in Oakland County. As a result, the Curtail Auto Theft Unit (CAT) which focused on southeast Oakland County (Troy, Madison Heights, Ferndale, Royal Oak, and Hazel Park) merged with a countywide unit. It is too early to tell if this merger, and the resulting lack of specific attention to our area, is responsible for this increase. At the current theft rate, the year-end total would be the highest since 1997, which was 205. This is still substantially lower than the theft rate in the years preceding 1997.

Group B crimes decreased 2.8% or 68 incidents. With the exception of Runaways (under age 18), which decreased 46.8% (22 incidents), the variances in all other categories are relatively small.

Total incidents of crime (group A & B combined) decreased 8% or 459 incidents.

Group C calls for service (non-criminal incidents) decreased 3.7% or 1049 calls. False Alarms (burglary alarms, robbery alarms) continue to decrease and are down 5.8% (252 alarms). It should be noted that year to date Group C (non-criminal) calls for service comprise 83% of the total calls for service answered by the department. False Alarms comprise about 13% of the total calls for service. These percentages are very consistent with last years rate.

Overall, traffic crashes are down 12.9% or 389 crashes. Within that category, injury crashes are down 60 crashes (8.5%) and property damage only crashes decreased by 329 crashes (14.2%). Hazardous citations issued increased by 9.8%, or 922 citations, non-hazardous citations and license/title/registration citations decreased by 29.3% and 10.4% respectively. We believe the increase in hazardous violations and decrease in non-hazardous violations represents the department's focus on accident causing violations.

Please feel free to contact Chief Craft or Wendell Moore is you require additional information.

Troy Police Department

January 1 through September 30, 2001

[illegible]

Troy Police Department

January 1 through September 30, 2001

	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	Y-T-D	Y-T-D	PERCENT	Y-T-D	Y-T-D	PERCENT	Y-T-D	Y-T-D	PERCENT	Y-T-D	PERCENT
<u>Description</u>	2001	2000	CHANGE	2001	2000	CHANGE	2001	2000	CHANGE	2001	CLEAR
Alarms	4,118	4,370	-5.8%	4,118	4,370	-5.8%	NA	NA	NA	NA	NA
All Other	22,847	23,644	-3.4%	23,301	24,127	-3.4%	615	559	10.0%	NA	NA
Group C Miscellaneous Total	26,965	28,014	-3.7%	27,419	28,497	-3.8%	615	559	10.0%	NA	NA
Group E Fire Total	114	122	-6.6%	114	122	-6.6%	NA	NA	NA	NA	NA
Grand Totals	32,352	33,868	-4.5%	33,223	34,794	-4.5%	2,745	2,841	-3.4%	2,637	46.3%
Traffic Crashes and Citations											
Reportable Traffic Crashes											
Personal Injury	642	702	-8.5%								
Property Damage	1,987	2,316	-14.2%								
Fatal	6	6	NC								
Total	2,635	3,024	-12.9%								
Private Property Accidents	1,011	1,045	-3.3%								
Accident Grand Total	3,646	4,069	-10.4%								
Traffic Citations											
Hazardous	10,360	9,438	9.8%								
Non-hazardous	603	853	-29.3%								
License, Title, Registration	2,576	2,875	-10.4%								
Parking	1,306	915	42.7%								
Traffic Citations Total	14,845	14,081	5.4%								

October 30, 2001

To: Honorable Mayor and City Council
From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/services
Carol K. Anderson, Parks and Recreation Director

Subject: Comparison of Costs to Mow Parks –
City Personnel vs. Contracting

City Council has requested information relative to landscape maintenance in the parks – primarily mowing. They have asked for a cost comparison between the current method of mowing with City forces and the cost to contract the mowing in parks. It should be noted that current contracted work includes the mowing of all street islands, municipal buildings, and cemeteries, turf fertilization and weed control. This comparison is for mowing in the parks only. In order to make the comparison, the following information will be used:

Total acres of turf to be mowed:	295.3 acres
Number of cuts per season:	28
Average number of City man/hours:	6180
Contractor cost per acre, per cut:	* \$41.00/acre/cut – (Rasins Landscaping) * \$135.00/acre/cut–(Torre & Bruglio)

* Rasins Landscaping cost for weekly mowing of medians, fire stations, museum, and cemeteries. Torre & Bruglio cost for weekly mowing/maintaining of Civic Center complex also includes the purchase, installation and maintenance of annuals.

Estimated cost to mow park turf with outside contractors:

295.3 acres x \$41.00 (Rasins Landscaping) = \$12,107.30 per cut
\$12,107.30 x 28 cuts/season = **\$339,004.40 per season**

295.3 acres x \$135.00 (Torre & Bruglio) = \$39,865.50
\$39,865.50 x 28 cuts/season = **\$1,116,234.00 per season**

Cost to mow park turf with City personnel:

6180 man/hours x \$ 20.50 (average hourly pay using FT and PT personnel) =
\$126,690.00

Cost to rent equipment from Motor Pool = **\$90,000.00**

Total cost to mow park turf utilizing Park personnel, both FT and PT =
\$216,690.00 per season

Benefits of Mowing With City Personnel

1. Cost: The cost to contract out the mowing, based upon the per acre cost we currently pay for weekly mowing of street islands/municipal buildings (Rasins Landscape) and our current per acre cost to mow the Civic Center site (Torre & Bruglio), would be much higher than the cost to mow the same acreage in-house.

2. Scheduling/communication: Careful coordination must take place between the mowing of the turf in the parks and the recreation programming staff. Mowing must be done at times that do not conflict with field use, park shelter use, recreational programming. Lining of the soccer fields must also coincide with mowing to get the most visible, longest lasting lines. This can be done easily when park crews do the mowing. This is not done as successfully when a contractor is doing the mowing. The contractor, whose purpose is to make money, will want to mow an area as quickly as possible and move on to the next job and can not be as flexible with scheduling mowing as in-house personnel.

Delays in mowing due to rain, or other foul weather can cause significant problems when parks are mowed by outside contractors. The private contractor will likely have other accounts that are also affected by rain delays. The chances are high that their mowing jobs will back up and delays will occur. Mowing performed by City Park personnel, on the other hand, can resume as soon as weather conditions permit.

Mowing contractors are subject to scheduling problems due to equipment breakdown or other jobs. This may not present a problem if the area being mowed is a street island, or low-use building. However, a delay in the mowing schedule for a park or athletic field can cause difficulties. Use of the park or field dictates when the turf can be mowed in any active use facility. Last minute changes in how a park, or athletic field is being used can, and do occur. Field conditions at one park can necessitate moving games, or activities to another field/park. A mowing operation manned by City personnel can more quickly adjust their schedule to accommodate such a change since they have no other mowing commitments other than those in the parks.

New Golf Course Analysis

As discussed previously, when the new golf course has been in operation for one complete year, a comparison of costs/other matters will be made between City work forces and outside contractors to determine the best option for maintaining the golf courses.

November 2, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer

SUBJECT: Proposal by Mr. James Savage for a Pedestrian Overpass on Rochester Road

BACKGROUND

In a recent statement to City Council Mr. Savage suggested there is a need to resurrect a proposal he made for a pedestrian overpass on Rochester Road due to the widening of Rochester in 2000. His concern is for safe access between Wattles and Baker schools and is there any grant available for such projects as he believes was used for overpasses in other cities.

In January 1999 Mr. Savage presented the same proposal to City Council and the Traffic Committee, which was subsequently referred to the Engineering Department. In February 2000 a response was submitted to Council which indicated that public right-of-way necessary to built an at grade crossing in compliance with the Americans with Disability Act and construction cost would render the project cost prohibitive. The proposal was not pursued.

ANALYSIS OF THE PROPOSAL

Recently Mr. Mike Williams, Assistant Superintendent of the Troy School District was asked for his opinion on an overpass from the school's perspective. He indicated that an overpass on Rochester Road was not needed. All students that may have to cross Rochester to go to the schools on either side are transported by bus. Also, special events like the Baker marching band going to Wattles elementary utilize buses for transportation. This is a rare event since there is hardly any interaction between the middle and elementary schools. In short, there is no support for an overpass from "connecting the two schools" point of view.

The estimated cost of an overpass is \$1.5 million; \$1.5 million for construction and zero for right-of-way if the overpass is built on the north side of Torpey where the city owns lots on both sides of Rochester Road.

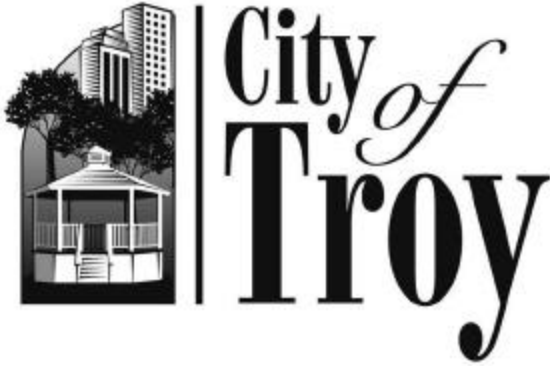
Overpasses for non-motorized traffic, including pedestrian and bike use, are eligible for Transportation Enhancement Grants. The money comes from the federal
The Honorable Mayor and City Council

government and is administered by the Michigan Department of Transportation. The focus of the grants is on projects that will enhance the appearance, safety and economic benefits of road and pedestrian facilities. Overpasses are eligible for Enhancement funding, however, given the high cost they are generally not very competitive against other projects according to MDOT. MDOT indicated they are in the process of reviewing applications received for fiscal year 2003. New applications would be due in six months. Enhancement projects include a minimum of 20% local match. It is a very competitive program. They receive \$90 to \$100 million in application/requests per year for the \$20 million of available funds.

The only other category of funds that may be available for the project would be Safety. MDOT admits, however, that it would be a stretch to get this project qualified. The project would have to compete with all other projects statewide. Only about \$4.5 million is available against \$20 million in project requests. There would have to be a substantial need for the project in terms of pedestrian travel. Funding, if ever approved, would be limited to 80% federal aid with a cap of \$200,000 that could only be used for construction. This means the local share would be \$1.3 million. The federal aid would be small in comparison to the overall project cost.

CONCLUSION / RECOMMENDATION

Without support of the Troy School District, it is unlikely that the proposed overpass would succeed in obtaining grant funds for the project. Coupled with a local match estimated at \$1.3 million, staff does not recommend pursuing this project.



November 5, 2001

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY

RE: WILLIAM GOODMAN v. CITY OF TROY

Enclosed please find the order, dismissing the Goodman v. City of Troy lawsuit. As you recall, Mr. Goodman owns the property on Long Lake Road, west of Rochester Road. Goodman, on behalf of Home Depot, requested a rezoning of his property, which was denied by City Council on September 25, 2000. Goodman then filed a lawsuit against the City, alleging first that the R-1C zoning classification was arbitrary and capricious; and also that the City took his property without just compensation, in addition to the allegation of an unlawful and discriminatory application of the zoning ordinance. He also asserted that he had a protected property interest in a former (allegedly non-residential) zoning classification of the property.

After discovery in this matter, Plaintiffs have offered to dismiss this lawsuit without prejudice, which means that they are not precluded from bringing a subsequent lawsuit against the City for a denial of requested rezoning of the property. Upon information and belief, a subsequent proposal for development of the property will again be presented for Planning Commission and City Council consideration.

If you have any questions concerning the above, please let me know.

cc: Planning Commission Members

STATE OF MICHIGAN

Nov 2 11 47 AM '01

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

WILLIAM GOODMAN and TROY LAND
DEVELOPMENT, L.L.C., a Michigan
limited liability company,

Plaintiffs,
vs.

Case No. 00-026900-CH
Hon. Richard D. Kuhn

CITY OF TROY, a municipal corporation,


Defendant.


KIRK & HUTH, P.C.
BY: ROBERT W. KIRK (P35627)
ROBERT S. HUTH, JR. (P42531)
Attorneys for Plaintiffs
28 First Street
Mt. Clemens, MI 48043
(810) 468-6100

LORI GRIGG-BLUHM (P46908)
Troy City Attorney's Office
500 W. Big Beaver Road
Troy, MI 48084-5254
(248) 524-3320

STIPULATION FOR DISMISSAL

IT IS HEREBY STIPULATED by and between counsel for Plaintiffs and counsel for Defendant that this matter be dismissed without prejudice and without costs as to any party.


ROBERT S. HUTH, JR. (P42531)
Attorney for Plaintiffs
28 First Street
Mt. Clemens, MI 48043
(810) 468-6100


LORI GRIGG-BLUHM (P46908)
TROY CITY ATTORNEYS' OFFICE
500 W. Big Beaver Road
Troy, MI 48084-5254
(248) 524-3320

Dated: 10-3-01

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

WILLIAM GOODMAN and TROY LAND
DEVELOPMENT, L.L.C., a Michigan
limited liability company,

Plaintiffs,
vs.

Case No. 00-026900-CH
Hon. Richard D. Kuhn

CITY OF TROY, a municipal corporation,

Defendant.

KIRK & HUTH, P.C.
BY: ROBERT W. KIRK (P35627)
ROBERT S. HUTH, JR. (P42531)
Attorneys for Plaintiffs

LORI GRIGG-BLUHM (P46908)
Troy City Attorney's Office

~~DISMISSAL~~
ORDER FOR SUBSTITUTION OF ATTORNEYS

At a session of said Court, held in the City
of Pontiac, County of Oakland, State of
Michigan on OCT 19 2001

PRESENT: HON. RICHARD D. KUHN
CIRCUIT COURT JUDGE

Upon the reading and filing of the within Stipulation, and the Court being
fully advised in the premises thereof;

IT IS HEREBY ORDERED that this matter is hereby dismissed without
prejudice and without costs as to any party.

A TRUE COPY
G. WILLIAM CADDELL
Oakland County Clerk - Register of Deeds
By [Signature] Deputy

This Order disposes of the last pending claim and
closes this case.

RICHARD D. KUHN
CIRCUIT COURT JUDGE

TO: The Honorable Mayor and City Council

FROM: John Szerlaga, City Manager
John Lamerato, Asst. City Manager, Finance
Cindy Stewart, Community Affairs Director

SUBJECT: Sister City Program

DATE: November 13, 2001

We began research on establishing a Sister City program in the City of Troy. The staff recommendation is to establish a committee including, but not limited to, a representative from City Council, Troy School District, the business community, Troy Rotary Club and staff liaison's from Community Affairs Department and/or City Manager's Department.

This committee would be charged with examining and reporting on the following key considerations:

- What are the benefits/What would this program accomplish?
- What are the costs of establishing a Sister City program in the City of Troy?
- Is membership in the Sister Cities International organization necessary, or can the program be instituted independently by Troy?
- Financial projections – what kind of budget would be necessary for a successful program?
- Staffing needs – what levels or time commitment in staffing does the program require?

Following is a summary of research to date and related documents.



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Getting Involved: Membership

Sister Cities International (SCI) welcomes U.S. cities, counties, states, and territories, as well as international communities which have a recognized sister city relationship with a US community. In addition, corporations, associations, businesses, educational institutions, and individuals are also invited to join the SCI network. Membership with SCI is the best way for your community or organization to establish meaningful and lasting global connections. We open doors to the world, enhancing quality of life through educational exchanges, business development opportunities, and information sharing on issues such as technology, health care, and the environment.

Membership categories include:

Voting Members

- U.S. cities, counties, states, and territories (including towns, villages, or incorporated areas of any size)
- International communities that have a recognized sister city relationship with a US community
- Municipal Associations

Non-voting Members

- Corporations
- Non-profit organizations
- Embassies
- Individuals

Annual membership dues for U.S. and international cities, counties, and states are based on population (in \$U.S.)

Population or Category	2001 Dues	2002 Dues	2003 Dues	2004 Dues (CPI adjustment will not exceed 5%)
Municipal Associations	\$1,000	\$1000	\$1000	
More than 1,000,000	\$1,200	\$1440	\$1680	
500,000-1,000,000	\$1,050	\$1235	\$1420	

300,000-500,000	\$780	\$890	\$1015
100,000-300,000	\$600	\$675	\$750
50,000-100,000	\$480	\$525	\$575
25,000-50,000	\$380	\$410	\$435
10,000-25,000	\$280	\$295	\$310
5,000-10,000	\$200	\$205	\$210
Under 5,000	\$130	\$130	\$130
Corporate	\$1,000	\$1100	\$1200
Non-Profit	\$500	\$550	\$600
Individual	\$25 (If your local program is a member of SCI)		
	\$50 (If your local program is NOT a member of SCI)		

ICRC Membership Benefits

- The ability to instantaneously send email and translate documents in seven different languages, with more to be added in the near future.
- For the first time ever, direct access to one of the most advanced and innovative "search engines" for foundations, corporations, and government grants.
- The ground breaking capability to report, track, and compile sister city program information throughout the world.
- Entry to the only website with the power to report, track, and compile the tools and techniques, which promote outstanding sister city programs, including fundraising, publications, and capacity building for local programs.
- Finally collected in one place, information about partnerships with schools, business groups, service organizations, and other community based international organizations.
- Landmark entry to detailed community profiles and contact information for Member Communities and Cities Seeking Sister Cities.
- Opportunity to purchase online discounted supplemental medical insurance when traveling abroad.

Sister Cities International Membership also includes these benefits:

- Eligibility for all SCI-managed grants.
- Subscription to all SCI publications, including bimonthly issues of *Sister Cities News* and the *Report to the Membership*, the annual Membership Directory, and instructional guides covering all aspects of local program development.
- Processing of IAP-66 applications for J-1 visas for secondary school exchange programs at a rate 80% less than other companies.
- Eligibility to send voting delegates to the SCI Annual Conference, and the ability to participate in all aspects of SCI growth and development.
- Opportunity to participate in the SCI Annual Awards Program and the SCI Young Artist Program.

Join Today!

Just complete the online [Membership Application](#) and send in your payment, and you can begin to take

advantage of the above benefits within days. If you have any questions, please do not hesitate to contact [SCI](#) for more information or to have a Membership Application Packet mailed to you.

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Online Directory: Michigan, USA

Member Community	Sister Community Relationship	Website
Adrian	Moriyama Shiga , Japan	
Battle Creek	Takasaki , Japan	
Bay City	Ansbach , Germany	
Bay City	Goderick , Canada	
Bay City	Lome , Togo	
Bay City	Poznan , Poland	
Bronson	Moryn , Poland	
Chelsea		
Coldwater	Soltau , Germany	
Dearborn		
Detroit	Kitwe , Zambia	
Detroit	Minsk , Belarus	
Detroit	Nassau , Bahamas	
Detroit	Toyota , Japan	
Flint	Hamilton , Canada	
Flint	Togliatti , Russia	
Frankenmuth	Gunzenhausen , Germany	
Grand Rapids	Bielsko-Biala, Poland	WEBSITE
Grand Rapids	Ga District, Ghana	WEBSITE
Grand Rapids	Omiyachiman, Japan	WEBSITE
Grand Rapids	Perugia, Italy	WEBSITE
Hancock	Porvoo , Finland	
Holland		
Kalamazoo	Kingston , Jamaica	
Kalamazoo	Numazu , Japan	
Lansing	Akuapim South District , Ghana	
Lansing	Belmopan , Belize	
Lansing	Kuybushevsky District, St. Petersburg , Russia	
Lansing	Otsu , Japan	
Lansing	Sanming , China	

"Milan"	Protvino, Russia	
Muskegon	Hartlepool , UK	
Muskegon	Omuta , Japan	
Pontiac	Kusatsu , Japan	
Redford	Gau-Algesheim, Germany	
Redford	Georgina , Canada	
Redford	St. Johann , Austria	
Saginaw	Tokushima , Japan	
Saline	Brecon , UK	
Saline	Brecon , UK	
Walker	Colac , Australia	

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States in the USA

Alabama	Kentucky	North Dakota
Alaska	Louisiana	Ohio
Arizona	Maine	Oklahoma
Arkansas	Maryland	Oregon
California	Massachusetts	Pennsylvania
Colorado	> Michigan	Rhode Island
Connecticut	Minnesota	South Carolina
Deleware	Mississippi	South Dakota
District of Columbia	Missouri	Tennessee
Florida	Montana	Texas
Georgia	Nebraska	Utah
Hawaii	Nevada	Vermont
Idaho	New Hampshire	Virginia
Illinois	New Jersey	Washington
Indiana	New Mexico	West Virginia
Iowa	New York	Wisconsin
Kansas	North Carolina	Wyoming

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Sister Cities International Background

In 1956, President Dwight D. Eisenhower created a program that was designed to enhance relationships between cities in the United States and the rest of the world. The desired outcome of this program is to gain knowledge and understanding between foreign cities through community exchanges of cultural and ethnic ideas. Since its establishment, Sister Cities International has supported programs around the nation and has promoted more than 1,200 relationships between 780 cities in the U.S. and cities in 86 foreign countries.

Annual SCI membership fees for Troy (based on population) would be \$525 for 2002 and increase to \$575 for 2003. Only dues-paying members in good standing with Sister Cities International will have their sister city partnerships formally recognized by SCI.

Based on the attached membership benefits, it is not clear how association with SCI would specifically benefit Troy.

Community interest expressed in “Sister City” relationships

Kamal Shouhayib, Choice Group, is very interested in having the City of Troy formalize a Sister City relationship with his hometown of Aley, Lebanon. We already had an Aley delegation visit Troy and a Troy delegation made up primarily of Troy Rotarians visit Aley. The Troy Rotary helped establish the Aley Rotary Club.

Key Elements to Successful Sister City programs

- Solid support from City Hall
- Involvement of local service club/civic organizations
- Involvement of the business community
- Involvement of educational institutions
- Maintain excellent, two-way communication and to keep the program active,
- Meet at least every other year to develop and update a Plan of Understanding about goals and expectations
- Frank discussions about areas of interest, realities of budgets and other important details in carrying out proposed exchanges or projects.
- There are a variety of low-cost exchanges that should occur every year,

Low Cost Options for Exchange Activities

- An annual “state of the city” letter between the two mayors
- Exchange of the city annual reports and city plans by officials at city hall
- Exchanges of student artwork or letters
- Exchanges of interesting newspaper articles about our community

Date: November 9, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
William R. Need, Public Works Director

Re: Status Report – Refuse Hauling Contract

On November 1, 2001, we held our first working meeting with the consultant who will be assisting us in our efforts to procure the service of a firm that will dispose of the community's solid municipal waste, yard waste, and recyclables.

Mrs. Kuha and I met with Mr. Frey, the President of Resource Recovery Systems, Inc. and one of his associates, Dawn Furlong. Ms. Furlong will be managing our project.

The first order of business was to establish a timeline for the project (see attachment). We have decided on a very aggressive schedule, with our final objective to have a recommendation for review and approval by City Council by the third week in February 2002.

We wish to have the transition period be as long as possible (should the current contractor not be the successful bidder) from the anticipated approval date to the beginning of the contract. This should allow us ample time to work out the majority of any operational bugs prior to the beginning of the new contract.

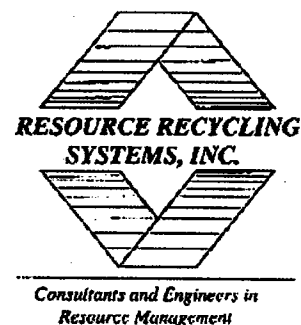
We plan to develop two basic proposals, one which includes Troy as a member of SOCRRA and a second where Troy is no longer a member of SOCRRA and the waste hauler would have to provide all services currently provided by SOCRRA. This proposal would include disposal of solid municipal waste to a landfill, curbside recycling, yard waste composting, hazardous waste disposal Freon reclamation, and educational programs.

Within both of these proposals, there would be several alternatives such as the following:

- Alternate costs will be provided for dual compartment hauling equipment. This would enable the contractor to pick-up SMW and yard waste at the same time without contaminating either load. There is a possibility of a cost savings to the City but there would definitely be a benefit by reducing the number of garbage truck trips over our streets and amount of time making collections on major roads during rush hour traffic.

- We are going to investigate increasing the size of the recycling bins. Studies have shown that if residents are given a larger recycling bin, they will fill it. We are looking at several different sizes and styles. We would expect that any larger recycling bin would have an attached lid and have wheels to allow for easier use.
- Two other alternates that will be included in the bid documents calls for both a semi-automated and totally automated disposal system. I am afraid that a totally automated system for the entire City would not be appropriate because of environmental restrictions such as narrow streets, large trees, on street parking, all of which make a totally automated system impractical. A completely automated system may also require a significant capital investment on the part of the contractor, which in turn could greatly increase our cost making this type of system financially unwise. All of this leads me to believe that at least for the foreseeable future the best we can achieve is a semi-automated system.
- Both proposals will also include alternates for brush chipping. We envision a program where those residents that have significantly more vegetative debris than the normal five or six bundles of brush could call the contractor and make an appointment and have his brush chipped at a pre-arranged user fee. The resident would pay the contractor for the service. It would not be a fee that the City would be responsible for.

I am confident that RRSI will provide us with a good document and that all of the options indicated above will be thoroughly investigated. If they prove to be desirable and economically viable, we will recommend their inclusion for the next contract.



PROJECT MEMO

To: William Need, City of Troy Director of Public Works
Nancy Kuha, City of Troy Solid Waste Coordinator

cc:

From: Dawn Furlong, Project Manager - RRSI

Date: 11/7/01

Re: Project Timeline

This memo confirms dates as discussed at our meeting on Thursday, November 1, 2001. Also, we will need to schedule a pre-bid meeting date for potential bidders. If there are any questions, please contact me.

November 21, 2001	Draft Bid Proposal document to Troy DPW
November 27, 2001 2PM	Reviewed Bid Proposal returned to RRSI for editing
November 28, 2001	RRSI revises reviewed Bid Proposal document
November 29, 2001	Release date for Bid Proposal (from Troy DPW office)
January 10, 2002	Bid opening at 2:00 p.m. at Troy DPW office
January 17, 2002	Technical and organizational scoring faxed to RRSI
January 18, 2002	Short list candidates (Risk Management/ DPW/ Purchasing)
January 30, 2002	RRSI presents recommendations to Troy DPW including memo detailing incurred costs of waste collection, yard waste, recycling, HHW collection, education should Troy leave SOCRRA membership. (To be reviewed by DPW/ Risk Management/ Purchasing)
February 5, 6, 2002	Interview top candidates (may require two meetings)
February 7, 2002	Reviewed memo (from Jan. 30) returned to RRSI for editing.
February 18, 2002	City Council Meeting

G-15 Comprehensive Annual Financial Report for the Year Ended June 30, 2001

Copy of the Comprehensive Annual Financial Report for the Year Ended June 30, 2001 delivered directly to Council and is available for public viewing at the Troy City Clerk's Office.

November 15, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

SUBJECT: Proposed Conceptual Schemes for the North Side Access to Police Department

In accordance with the direction received at the study session of October 22, 2001 Redstone Architects have prepared conceptual schemes "A", "C", and "D" which they have further defined and developed. Estimated costs are also included.

Also enclosed is a request from Council member Howrylak to perform some modifications to concepts "C" and "D". In response, Redstone has indicated a cost in the range of \$1,800 to \$2,200 to accommodate Mr. Howrylak's request (also attached).

Staff is now seeking direction on how to proceed. And at this point we have two options:

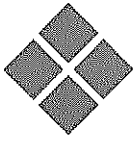
- 1) Advise me to have Redstone Architects perform further modifications to the schematic designs as requested by Council member Howrylak
- 2) Indicate a preferred design and we'll come back with the architect on December 3, 2001 to make a formal presentation along with an amended project budget

Regardless of increased costs for any of the attached schematics, I'm advised that we are currently somewhere between 7% and 10% over the initial schematic design estimate. This equates to about \$1.8 million dollars.

Please feel free to contact Gary Shripka or myself should you have any comments or questions on this matter.

JS/mr\2001\To M&CC\Proposed Schemes from Redstone

c: Gary A. Shripka, Assistant City Manager/Services
John M. Lamerato, Assistant City Manager/Finance & Administration
Charles Craft, Police Chief
William Nelson, Fire Chief
Daniel Redstone, Redstone Architects



**REDSTONE
ARCHITECTS, INC.**

Architecture • Planning • Interior Design

November 14, 2001

Mr. John Szerlag, City Manager
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Re: Proposed Conceptual Schemes for
North Side Access to
the Police Department
(R.A. Project No. 3318.01)

Dear John:

Following the directives received at the City Council meeting of October 22, 2001, enclosed are conceptual schemes "A," "C," and "D" which we have further defined and developed.

Updated cost estimates for each scheme are also attached. Please note that in order to compare all three schemes, we have shown two phases - 1) Basic Changes to provide for Building Access, and; 2) Additional Site Development phases (for "C" and "D") that reflect expanded plaza concepts.

The concepts shown are not intended to represent a final and complete design for each scheme, but rather to develop a more accurate projection of costs. Please advise me of the Council's decision as to how to proceed with the site design. There will need to be some adjustment to design fees if a more developed scheme is chosen.

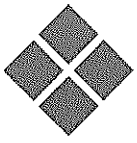
Finally, as you are already aware from prior correspondence, the Design Development Project cost projection is currently somewhere between 7% and 10% over the initial Schematic Design estimate. The increase was caused in part by an approximate 5% increase in the size of the building. The increase in building area and cost was necessary to satisfy program requirements and the accommodate approved scope adjustments.

We have been working with our consultants and The Olson Company to identify cost reductions for your review, and will be presenting our work to you in the near future.

Corporate Headquarters
29201 Telegraph Road,
Suite 400
Southfield, MI 48034-7647
Phone: 248-351-0770
Fax: 248-351-0660
southfld@redstonearchitects.com

11000 W. McNichols,
Suite 219
Detroit, MI 48221-2357
Phone: 313-861-0770
Fax: 313-861-0660
detroit@redstonearchitects.com

<http://www.redstonearchitects.com>



Mr. John Szerlag, City Manager
City of Troy

November 14, 2001
Page 2

Please call me if you need further information.

Sincerely,

REDSTONE ARCHITECTS

Daniel Redstone, President
NCARB, AIA

w/encl.

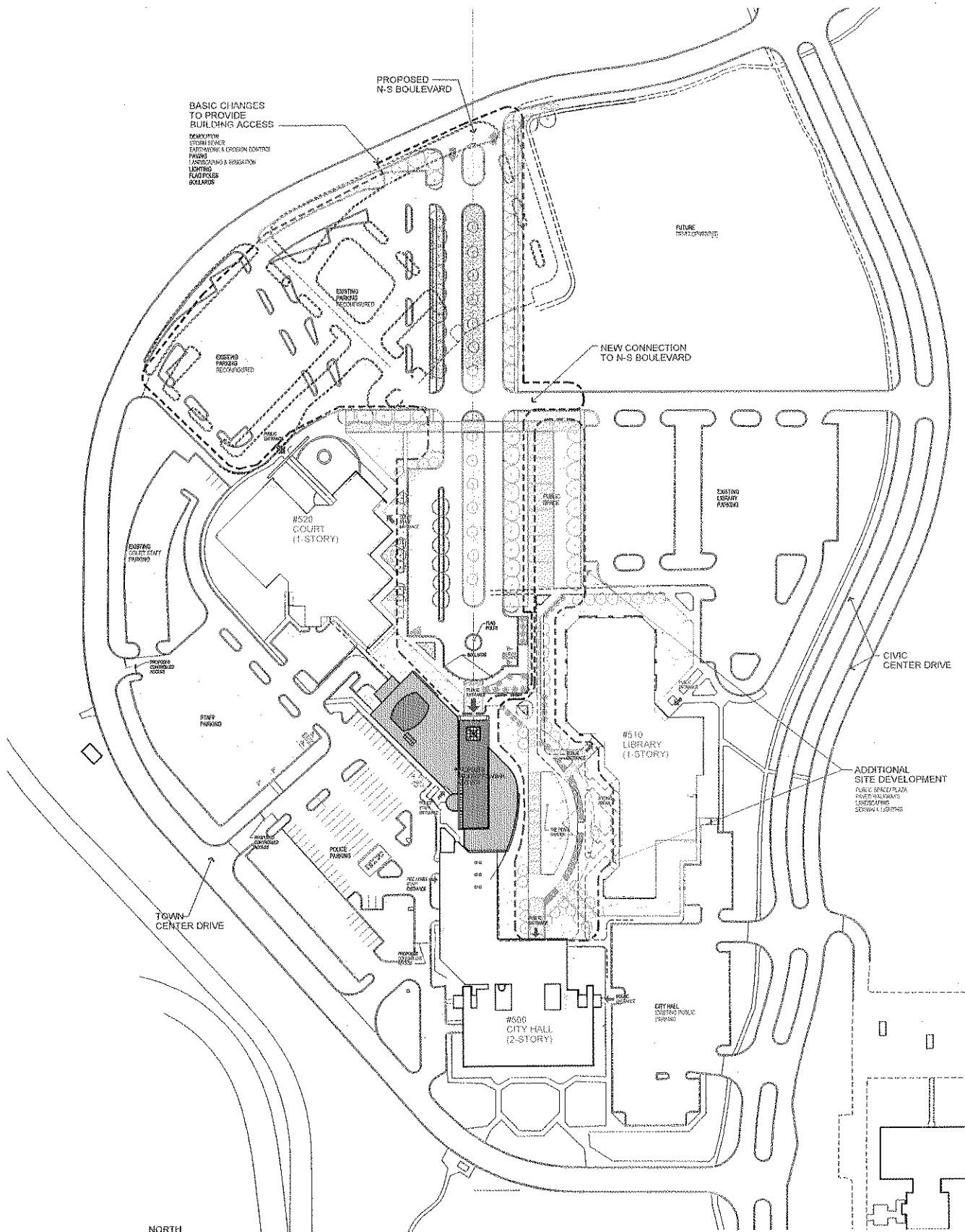
cc: Mr. Gary Shripka, Assistant City Manager (w/encl.)

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NOTE:
DO NOT SCALE PRINTS
USE ONLY VERTICAL DIMENSIONS

DATE	SHEET NO
3318.01	SK 01

U.S. GOVERNMENT PRINTING OFFICE: 1964 O - 350-000



SITE PLAN C
 0' 25' 50' 100' SCALE: 1" = 50'



REDSTONE
ARCHITECTS, INC.
 Architecture Planning Interior Design

Principal Architects:
 2025 Main Street
 Suite 100
 Troy, MI 48060-1000
 Tel: 313.259.0000
 Fax: 313.259.0000

With by: REDSTONE
 Suite 200
 One of 10000000
 Troy, MI 48060-1000
 Tel: 313.259.0000
 Fax: 313.259.0000

CITY OF TROY
SCHEMATIC SITE PLAN: CONCEPT C
 500 W. BIG BEAVER ROAD - TROY, MI 48084

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DATE	10/01	REVISION	
PROJECT NO.	3318.01	SK 02	

SCHEMATIC SITE PLAN: CONCEPT C

NOV 01, 2001

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NOTE: DO NOT SCALE PRINTS. FOR ONLY 1/4" SQUARES (100mm X 100mm)	
DATE 11/10/04 PROJECT NO. 3318.01	SHEET NO. SK 03
OFFICE: 1000 AVENUE OF THE STARS, SUITE 1000, FALLS CHURCH, VA 22044 TEL: 703/441-1000 FAX: 703/441-1001 WWW.AA-VA.COM	

Site Study Cost Comparison for City of Troy, MI

		Concept "A"	Concept "C"	Concept "D"
A.	Basic Package to Provide Building Access:			
	1. Demolition	\$ 10,440.00	\$ 231,610.00	\$ 26,280.00
	2. Storm Sewer	\$ 44,800.00	\$ 137,620.00	\$ 78,660.00
	3. Earthwork & Erosion Control	\$ 48,000.00	\$ 71,700.00	\$ 27,810.00
	4. Paving	\$ 120,520.00	\$ 560,690.00	\$ 249,010.00
	5. Landscaping & Irrigation	\$ 31,500.00	\$ 104,550.00	\$ 118,850.00
	6. Lighting (*)	\$ 21,000.00	\$ 51,000.00	\$ 27,000.00
	7. Bollards with Light (*)	\$ 8,000.00	\$ 11,000.00	\$ 7,000.00
	8. Flagpoles (*)	\$ 7,050.00	\$ 7,050.00	\$ 7,050.00
	9. Lights for Flagpoles (*)	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
	10. Receptacles for Decorative Lights (5) (*)	\$ 0.00	\$ 1,500.00	\$ 0.00
	11. Tree Lights (7) (*)	\$ 0.00	\$ 8,400.00	\$ 0.00
	10% Contingency (*)	\$ 29,380.00	\$ 121,010.00	\$ 54,410.00
	(*): Not included in the October 22, '01 presentation			
	Subtotal : Basic Package	\$323,190.00	\$1,308,630.00	\$598,570.00
B.	Additional Site Development (possible phasing):			
	1. Demolition	\$ 0.00	\$ 4,890.00	\$ 3,820.00
	2. Storm Sewer	\$ 0.00	\$ 6,200.00	\$ 7,400.00
	3. Earthwork & Erosion Control	\$ 0.00	\$ 5,350.00	\$ 3,750.00
	4. Paving	\$ 0.00	\$ 174,550.00	\$ 59,250.00
	5. Landscaping & Irrigation	\$ 0.00	\$ 21,450.00	\$ 7,150.00
	6. Walkway Lighting (6)	\$ 0.00	\$ 10,800.00	\$ 10,800.00
	7. Tree Lights (3)	\$ 0.00	\$ 3,600.00	\$ 3,600.00
	8. Receptacles for Decorative Lights	\$ 0.00	\$ 600.00	\$ 600.00
	10% Contingency	\$ 0.00	\$ 22,740.00	\$ 9,640.00
	Subtotal : Additional Site Development	\$ 0.00	\$ 250,180.00	\$ 106,010.00
	Grand Total	\$323,190.00	\$1,558,810.00	\$704,580.00

Gary A Shripka

*faxed to:
D. Redstone
11/13/01*

From: Mary F Redden
Sent: Tuesday, November 13, 2001 8:04 AM
To: Gary A Shripka
Subject: FW: Polic/Fire Extension

FYI.

-----Original Message-----

From: Martin Frank Howrylak [mailto:mfhowryl@umich.edu]
Sent: Monday, November 12, 2001 4:22 PM
To: John J Szerlag
Subject: Polic/Fire Extension

John,

Per our earlier conversation about possible modifications to the plans C and D as recommended by City Council, I'd like Redstone to address the following possibilities:

Concept D

1. Straighten the corners of the parking lot and make the center island of the parking lot smaller so that this can be used as a plaza as well as a parking lot. The current configuration is not designed for multi-purpose uses and cannot function as a pedestrian friendly plaza.
2. Allow for possible sculpture in center of plaza.
3. Eliminate island at junction with Town Center Drive.
4. Straighten out the driveway so that north end is slightly west of its currently location and the south end is slightly east of current location. In conjunction with this, move the east end of the parking lot/plaza closer to the west wall of the library. The center of the plaza should move to the east accordingly. The result is a larger plaza and an alignment with city hall (as opposed to the police/fire entrance).
5. Move center line/sight line to the east so that it is lined up with city hall, not the police/fire extension.
6. Make the junction with Town Center Drive prominent such that it is a larger curb cut than the parking lots to the west. Prominence signifies that it is more important than those other curb cuts (to the parking lots to the west and south). Additionally, the turn from Town Center Drive to the new entrance driveway will be easier if the intersection is wider. Cars do not turn at 90 degree angles.

Concept C

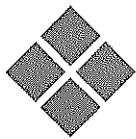
1. Show this plan as a single driveway (no boulevard), with a possible later date for expansion to a boulevard. Be sure that the driveway is to the east of the police/fire center line. The center line of the non-boulevard driveway should line up perfectly with the City Hall.
2. Enlarge plaza at end of the driveway.
3. Eliminate plaza between the library parking lot and the driveway to the police/fire entrance.
4. Create link between library driveway and police/fire entrance driveway.

5. Make the east end of the plaza in front of the police/fire entrance go as close to the west wall of the library as possible.
6. Enlarge curb cut with Town Center Drive so that a turn onto the driveway is easier to make (a.k.a. taper the curb cut)
7. Move center line significantly to the east such that it is aligned with city hall.
8. Enlarge plaza.

Additionally, for both concepts, eliminate the curved walkway in the peace garden and replace it with straight sidewalk. Especially in concept D, the curve essentially leads straight into a wall. The terminus of any sidewalks/pathways should be the plaza to the north and the city hall to the south. Also, Redstone should devise a pedestrian flow plan such that the entrances to both the city hall and the police/fire extension are always accessible, even during events. Also, show a directional obelisk at junction of driveway and Town Center Drive.

Thank you very much for your help in this matter.

-Martin Howrylak



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FAXED

RECEIVED
NOV 15 2001
CITY OF TROY
CITY MANAGER'S OFFICE

November 14, 2001
(via facsimile)

Mr. Gary Shripka, Assistant City Manager
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Re: Suggested Modifications to Site Plans per M. Howrylak
(R.A. Project No. 3318.01)

Dear Gary:

We have reviewed Mr. Howrylak's email which suggested we look at a number of additional possibilities for Concepts "C" and "D." We believe that most, if not all, of the items identified were addressed in SK-01 (Alternate), which was presented to the Council on October 22, 2001.

We estimate that it will take up to 20 hours, including up to 4 hours of my time, to sit down with the Administration and Mr. Howrylak to review SK-01, and make adjustments to that layout, if necessary. Our estimated cost for these services, based on the provisions of our Contract, is between \$1,800 and \$2,200.

Please let me know the wishes of the City Council.

Sincerely,

REDSTONE ARCHITECTS, Inc.

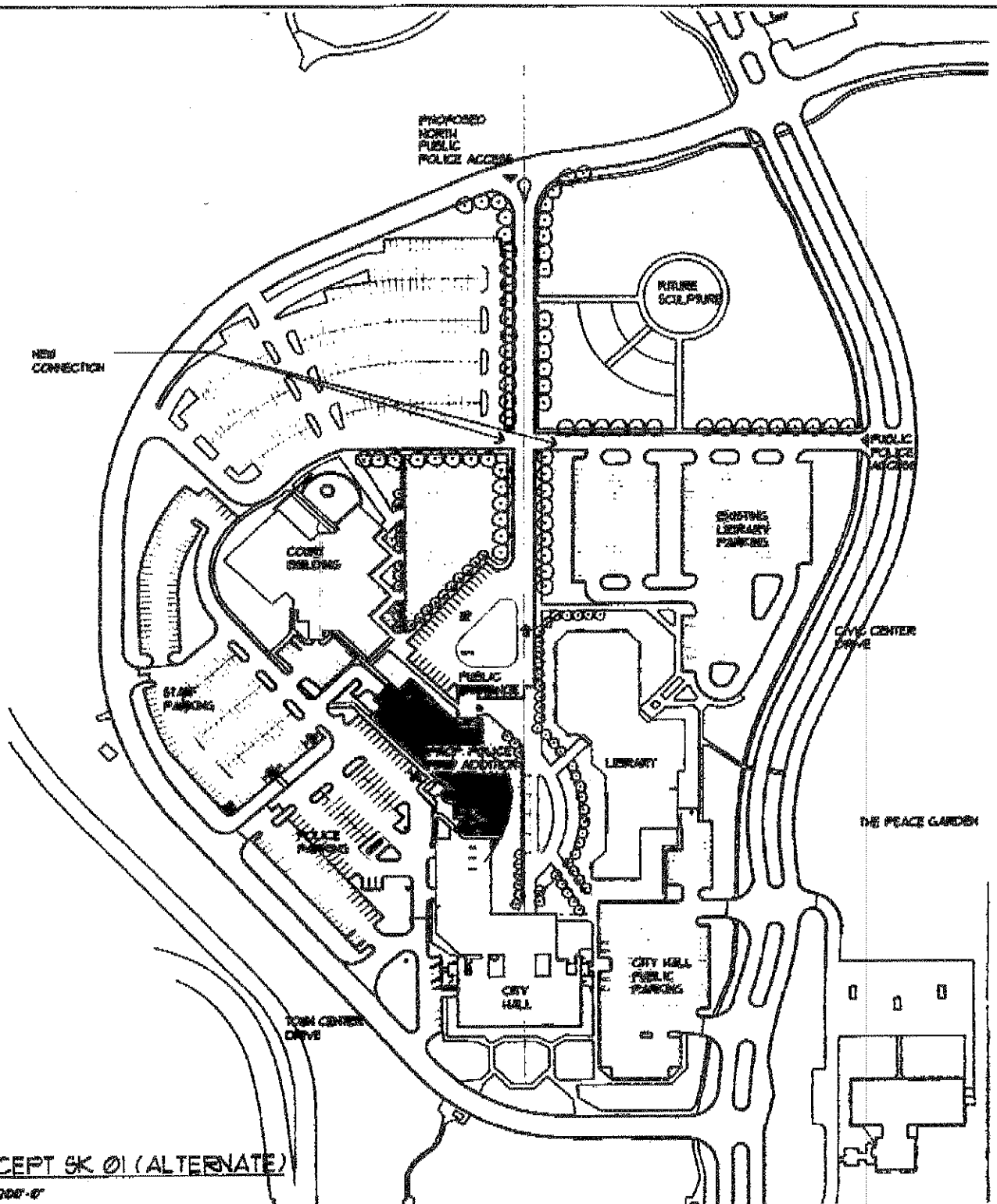
Daniel Redstone, NCARB, AIA
President

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Fax: 313-861-0660
detroit@redstonearchitects.com

<http://www.redstonearchitects.com>

GShripkaLetter-DR011114.wpd



CONCEPT SK 01 (ALTERNATE)

SCALE: 1"=200'-0"

PROS.

- LARGER PLAZA AT PUBLIC POLICE ENTRANCE
- GOOD EAST-WEST CONNECTION TO COURT PARKING

CONS.

- PEDESTRIAN GREEN SPACE INTERRUPTED BY DRIVES
- ADDITIONAL PARKING ADDED TO NORTH SIDE OF COURT BLDG.

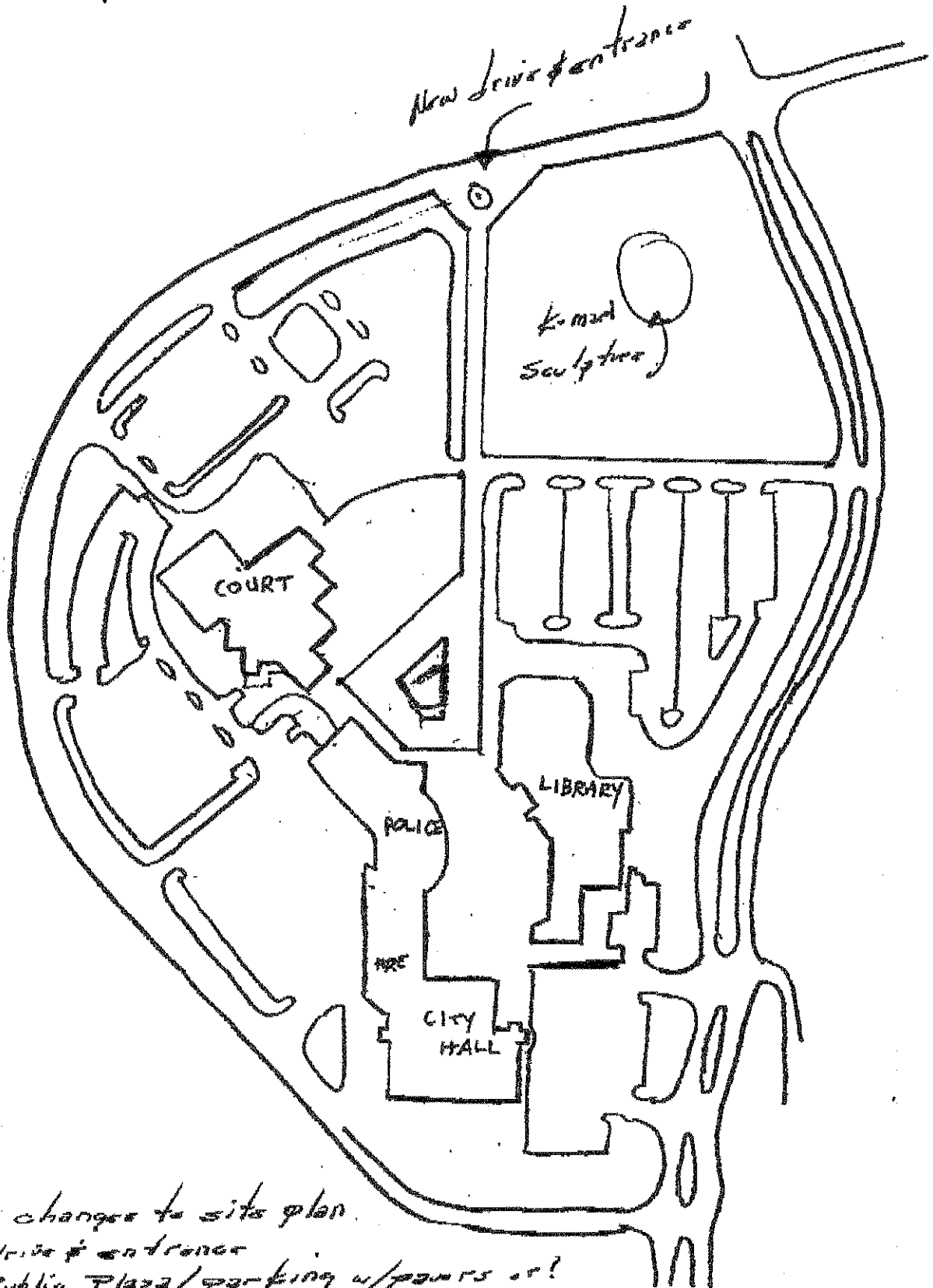


**REDSTONE
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OCTOBER 21, 2001

Proposed



= changes to site plan

New Drive & Entrance

New Public Plaza/parking w/pavers or!

SKOI Alternate

**PROFESSIONAL ENGINEERING ASSOCIATES, INC.****CIVIL ENGINEERS / LAND SURVEYORS**

2430 Rochester Ct., Suite 100, Troy, MI 48063-1872

Telephone (248) 689-9090

Facsimile (248) 689-1044

PRELIMINARY COST OPINION

PROJECT DESCRIPTION	<u>Troy Police (Sketch 01)</u>	JOB NO.	<u>2001228</u>
PREPARED BY	<u>JEC</u>	REVIEWED BY	<u>TSS</u>
		DATE	<u>10/22/01</u>

SUMMARY**SITE IMPROVEMENTS**

Demolition	\$30,000.00
Storm Sewer	\$80,000.00
Earthwork & Erosion Control	\$33,000.00
Paving	\$310,000.00
Landscaping & Irrigation	\$126,000.00
SUBTOTAL	\$579,000.00
GRAND TOTAL (w/ 10% contingency)	\$636,900.00

NOTE: The engineer has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractors method of determining prices, or over competitive bidding or market conditions. His openings of probable project costs and construction costs provided for herein are to be made on the basis of his experience and qualifications and represent his best judgement as an experienced and qualified engineer familiar with the construction industry. But, the engineer cannot and does not guarantee that proposals bids or actual project or construction costs will not vary from opinions of probable costs prepared by him.